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CHARLES O'CONOR

HIS PROFESSIONAL LIFE AND CHARACTER *

I REMEMBER Mr. O'Conor almost as long as I remember anything. His father and mine were acquaintances, and my recollections extend over more than sixty years, forty of which I have passed upon the bench of a court where, for many years, he was almost constantly before me. I mention this long acquaintance, not to enhance the interest of what I may have to say, but because having known him so long, and seen him under such a variety of circumstances, it enables me to confirm in the outset all that has been said in the public journals at the time of his death respecting his high integrity, his scorn of everything mean, his strong sense of justice, his generosity, benevolence, tenderness, self-sacrifice, and, I may add, what is but little known, his modesty in respect to his own acquirements and position as a lawyer.

It may interest those who value genealogical inquiries, to know that Mr. O'Conor was a lineal descendant of Roderick O'Conor, the last king of Ireland, a ruler who, from being king of one of the provinces, ultimately became monarch of the whole island, and afterward transferred the suzerainty of it to Henry II., King of England, by a treaty, the validity of which the Irish for seven centuries have denied, and the English have as tenaciously insisted upon.

A direct line of descent from the twelfth century is a long lineage, even in Europe; but Mr. O'Conor's ancestry went even further back, and is traceable in the Irish annals up to the fourth century. In the many conversations I have had with him upon Irish history and antiquities, a subject upon which he was well informed, I do not remember his ever mentioning the name of Roderick O'Conor, or even alluding to the disastrous period of Irish history in which he reigned. Thoroughly republican in his political sentiments; disliking the British government, which he invariably called a government by the British gentry; and indignant at its misrule in Ireland,

* An address delivered at the request of the New York Historical Society, of which Mr. O'Conor was one of the Vice-Presidents.

it may be that he felt no pride in this kingly ancestor who, when his power had become weakened by his despotic rule and the invasion of the English, selfishly transferred the sovereignty of the country to them, upon the condition that he might be allowed to continue king of his ancestral province of Connaught, a dignity of which he was shortly afterward deprived by the act of his own children, who not only rebelled against him, but immured him in a convent, where he ended his days.

The O'Connor family continued thereafter to reign in Connaught until about the close of the sixteenth century. They were one of the few Irish families that remained undisturbed, being recognized always as within the English pale. In 1326 the sovereignty was divided between two members or heads of families, who were respectively known thereafter as the O'Connor *Roe* and the O'Connor *Don*. Mr. O'Connor belonged to the branch known as the O'Connor Don—the word *Don* signifying in the Irish language head-man or chief, and those who believe that certain qualities are transmitted through races or families, will be strengthened in that belief by the statement that this family, the O'Connor Don, have for centuries been distinguished in Ireland for what was a marked characteristic of Mr. O'Connor, their high toned and delicate sense of honor.

The head of the family—or the O'Connor Don—in the early part of the last century was Charles O'Connor, a learned antiquary and the author of a critical work on the history of Ireland, that, in its day, enjoyed considerable celebrity. This was Mr. O'Connor's great-grandfather. He had two sons; the younger of whom had three children: Thomas, Mr. O'Connor's father, Denis and Catherine; all of whom emigrated to and died in this country. Thomas O'Connor came here in the year 1800, and settled in the City of New York, where he married Margaret, the daughter of Hugh O'Connor, who came from the same part of Ireland to this country in 1791, and established himself as a merchant in the City of New York in 1795. His mother was married at a very early age, for she was but in her sixteenth year when her eldest child, Mr. O'Connor, was born, which was at the house of his grandfather, 125 Front Street in New York, on the 21st of January, 1804. She died in 1816 at the early age of twenty-eight, and all that I know in addition respecting her is that I have always heard her spoken of as a woman that in force of character and natural abilities was superior to her husband, who, having been brought up as a gentleman by his grandfather, and liberally educated, was ill-fitted for the struggles he had afterward to undergo.

He had taken an active part in the Irish rebellion of 1798, and quitting Ireland from necessity or choice, he brought with him what is not often the case with political refugees, a considerable amount of property which he

had inherited. A passion for land is a characteristic of the Irish race, and it was natural that a son of the house of O'Connor should aim to become the proprietor of a large landed estate in America. Accordingly, after his marriage he bought a great tract in this State, I think about 4,000 acres, in what was then known as the Genesee County and is now a part of the county of Steuben, to which he brought his young wife and child, and labored for several years to found an estate. The effort was a failure. He not only lost all that he possessed, but became involved in debt; and Mr. O'Connor's earliest association with the law, or at least with one of the results of it, was being brought as a child daily by his mother to visit his father in the Old Provost or Jail, now converted into the present Hall of Records, where for months Thomas O'Connor was confined as a prisoner for debt, until released as we may suppose by the beneficent operation of the act for the relief of poor debtors.

This destruction of his hopes and the loss of all his property was a sad experience for the young emigrant; yet, notwithstanding this, and although he had to suffer for years thereafter from pinching poverty, it never affected his feelings toward his adopted country, to which, and to its institutions, he remained fervently attached to the end of his long life.

At the breaking out of the war with Great Britain, Samuel Woodworth, who is now remembered only as the author of the popular song of "The Old Oaken Bucket," started a weekly paper, of which Thomas O'Connor became the editor, called *The War*. It was of short duration; and its editor, in conjunction with one of his countrymen, immediately thereafter started another weekly journal called *The Military Monitor*.

The War, as I recall it, from a volume which my father had bound up, was, as well as its successor, exclusively devoted to recording the events of the contest, and Mr. O'Connor's first employment, at eight years of age, was carrying this weekly journal around to the subscribers in the city; an occupation that left an indelible impression, for he tenaciously remembered, to the end of his life, every street in the city, as it then was, and the occupant of nearly every house; a knowledge which he afterwards frequently made use of, when in cross-examining he wished to impair the credibility of witnesses by showing how little they could recollect of localities in the city in which their early life had been passed.

It would naturally be supposed that an association like this, with a journal that was chronicling weekly the events of the war, would have filled the boy's mind with the ardor incident to the struggle; but a circumstance which he narrated to me, produced the opposite effect.

In the early part of 1813, a tall, noble-looking man, as he described

him, came to subscribe for the paper, and finding the office in charge of a small boy, who attended to the business—for Mr. O'Conor was then but nine years of age—the new subscriber became interested in the boy, entered into conversation with him, and upon departing, said a few kindly words that were ever afterward remembered. This was the gallant General Zebulon Pike, who, a few months afterward, was killed while leading a successful assault upon the City of York, now Toronto, and who, as he lay mortally wounded upon the ramparts, directed the British flag, when it was hauled down from the fort, to be placed under his head, and then immediately expired. The shock the boy received at this intelligence gave him a horror of war that remained throughout his life, and may have had much to do with his adverse feelings during our subsequent struggle for the preservation of the Union.

The want of a military periodical ceasing with the war, Thomas O'Conor started a magazine devoted to Irish politics and the Catholic religion, which was soon, however, converted into a weekly journal, devoted to the same objects, called *The Shamrock*, which he conducted until 1822; and as the son's services were more or less required to assist the father in these publications, his opportunities for obtaining an education were very limited. All, I think, he ever received, was six months' tuition in a school in Barclay Street; some instruction from his father, in Latin and other branches with which the father was acquainted, and subsequently some little instruction in French.

In 1813 he was taken as a lad into the office of Henry Stannard, where he could not have remained very long, as in that year the name of Stannard disappeared from the list of practicing attorneys. He has said that whilst in this office he read Blackstone through, but could not fully comprehend it, which is not remarkable, but it is remarkable that a boy of thirteen should have been able to have read such a book at all. In 1820, in his sixteenth year, he entered the office of Stephen P. Lemoine and filed his certificate as a student at law. I remember Lemoine. He was a man of agreeable manners and convivial habits, very popular, especially among the Irish, but who was much more given to the making of rhetorical speeches than to the study or practice of the law. He was a creole from the West Indies, whose mother, Madam Noë, kept the principal young ladies' boarding-school at that time in the city; and being an only child, whom she supplied abundantly with means, he was not at all dependent upon his profession, for which he had little inclination or capacity.

In an office where there was no practice, and with such a preceptor, the

young student could learn nothing and earned but little. On the contrary, during the two years that he remained there he underwent more privations than I care to enumerate ; but his pride was as great as his poverty. I remember a kindly old lady who lived at the time in the neighborhood of Lemoine's office, who had observed, during a very severe winter, the scantiness of the raiment of the gaunt-looking young man, telling me of her asking his acceptance of some warm garments, which were courteously declined. At the end of the period stated he was relieved from this condition by Joseph D. Fay, a lawyer, at that time of considerable practice in the Court of Common Pleas, who took an interest in him and showed it in a most substantial way, for he not only gave him a situation in his office as a law clerk, but made him an inmate of his family.

Such an unusual act as making the young man a member of his family, led one of Fay's acquaintances to ask him why he did so ; and his answer was, " Because I think I see the signs of genius in him," and in Mr. Fay's family he remained until he was admitted to practice.

Fay had what Lemoine had not, a law library. He had, as was the custom of that day, his office in the lower part of the building in which he resided, and here Mr. O'Connor spent two hours every morning before breakfast, absorbed in study, and when the business of the day was over, passed nearly every evening there in the same way. The work that he studied almost exclusively, was characteristic, and for so young a man, remarkable.

It was " Comyn's Digest of the Laws of England," the most accurate, methodical and comprehensive abridgment of the common law that has ever been written, the five large octavo volumes of which he not only read from beginning to end, but studied closely, acquiring thereby a more familiar knowledge of the common law than he could possibly have obtained in any other way. He said long afterward that it was remarkable how often in the examination of difficult legal questions he fell back upon Comyn, and found how valuable this early and arduous study had been.

His associate in the office was Mr. Fay's son, Theodore S. Fay, so long our Secretary of Legation at Berlin, and afterward Minister at Switzerland, who, writing many years afterward, said : " I was a fellow-student with Charles O'Connor ; that is, I was the fellow, and he was the student." He not only attended to the duties of the office, but very soon after entering it he took charge of cases in the Ward Courts ; for he told me that he tried causes in those courts when he was but eighteen years of age.

After two years' study with Fay, he was, in 1824, admitted an attorney of the Court of Common Pleas. By the rules of the court an attorney could not make a motion or argue any matter publicly in court. This could

be done only by a counselor; no one could be a counselor unless he had practiced two years as an attorney, and Mr. O'Connor must then have achieved considerable reputation in the lower courts, and have been generally recognized as a young man of remarkable acquirements and ability, for the court did what was most unusual: it made his case an exception to its rules, and admitted him to the degree of counselor after he had practiced as an attorney but three months.

In the Supreme Court those who had not a college diploma or who had not devoted four years to classical studies, had to serve out a clerkship of seven years, and Mr. O'Connor had to remain for that long period before he was admitted to practice in the Supreme Court and the Court of Chancery.

Being admitted to the Court of Common Pleas, however, he could now put up his sign as attorney-at-law, and take an office, but there was an obstacle. He had no books. At the present time, when we have in the City of New York, not only two very complete law libraries, but are also supplied with excellent digests and treatises upon every branch of the law, so as to make the examination of legal questions more a matter of labor than an intellectual exercise, it is difficult to appreciate the situation of a struggling young lawyer then, when the number of law books was limited, and there was no public collection of them in the city. It was very natural that Mr. O'Connor should have left by his will \$20,000 to the Law Institute, for he knew what the state of things was in this city before that Institute was founded, in 1828. An opportunity offered to get over this obstacle of the want of books. There was a collection which, although small, contained the books that he especially wanted, and which could be bought for the sum of \$161, and upon credit, if the payment was secured. Mr. O'Connor's proud nature stooped for the first, and probably for the last time in his life, to solicit a favor. There was an importer of English needles in the city, whom I well remember from his fresh-looking English face and kindly character, Mr. George Pardow. What Mr. O'Connor's previous relations with him were, I do not know; but he asked him to indorse his note for the price of the books. The old gentleman took a night to reflect over the request, and on the following day granted it. How deeply Mr. O'Connor felt this service, and how munificently he repaid it, will be appreciated when I mention that more than fifty years afterward, he left by his will to a great granddaughter of Mr. Pardow, one-third of his large residuary estate. Fortified with a library, he opened an office at No. 10 Frankfort Street, in this city, and began a career that, considered simply as that of a lawyer, has not perhaps been surpassed in this country. His business for some time was chiefly in the Assistant Justices, or, as they were then popu-

larly called, the Ward Courts, and in the Marine Court, with occasional cases in the Court of Common Pleas. He was almost constantly occupied in the trial of causes in the Ward Courts, because he was so generally known in these tribunals, that lawyers who could not spare the time to attend them, retained him to try cases that had to be brought or to be defended there. The remuneration was not much, but it was sufficient to enable him, from the time of his admission in the Common Pleas, to relieve his father from all further editorial labors and from labor of any kind, and to take upon himself thereafter the support of the family.

It was in the Court of Common Pleas, in the trial of a cause, that I first saw him engaged in his profession. It was on a summer afternoon, about fifty years ago, and I vividly recall how he looked, tall, spare and very erect, a highly intellectual face, lustrous, piercing eyes; flowing, raven-black hair, and a sharp, penetrating, high voice, that was always well sustained, and by which each word was slowly articulated, with a distinctness that is unusual. I recall the great impression that his voice and his whole manner made upon me, especially his voice, which vibrated through and filled every part of the court room. This telling voice and the riveting look of the eye, remained long with him, when his hair was gray, his figure slightly bent, and his manner had acquired something of the softness that comes with age.

In 1827 he was admitted in the Supreme Court and the Court of Chancery; and although it was a rule in both courts that attorneys and solicitors had to be two years in practice before they could become counselors, the rule was dispensed with in his case, and he was upon the same day admitted attorney, solicitor and counselor in both courts, showing that his reputation for learning and ability was then so generally known and so thoroughly established as to justify this unusual exception.

The writer of a long and generally accurate biographical notice in the *New York Herald*, after remarking that many distinguished lawyers owed their future eminence as advocates to their early practice in the trial of causes in the Justices Courts, says that Mr. O'Connor was an exception; that "like the giants springing from the teeth of Cadmus, he entered the legal arena at once, fully armed and ready to cope with any adversary." This is simply absurd. In the trial of causes, where the admission of testimony is regulated by fixed rules, or in the argument of legal questions that are controlled by established principles, or the authority of adjudged cases, it is impossible for any man to be fully armed for such controversies without a considerable amount of legal knowledge, much of it of a technical nature, as well as having in addition considerable experience

in the practical application of it; and Mr. O'Connor himself would have been the last to have called in question the value of the training he had received in the trial of causes in Justices' Courts, but, on the contrary, would have acknowledged that the necessity which compelled him to confine himself mainly to these courts for four years had been of the greatest advantage to him thereafter.

In the year of his admission to the Supreme Court he succeeded in a cause that gave him great celebrity among the Catholic population of the city, a class from which his business at first was chiefly derived. The annual election of trustees in the Catholic Church in Barclay Street had been for years a scene of tumultuous broil between two factions in the congregation, and the struggle that year had been particularly intense, the prevailing party succeeding only by a majority of two votes. Upon examining, however, the register kept of the names of those that had voted, it was found that two votes had been fraudulently cast in the name of qualified voters who had recently died; and as the rejection of these two votes would make the election void, the defeated party secured the services of Dudley Selden, then a lawyer of considerable prominence, and of Thomas Addis Emmet, the most distinguished advocate of his time, by whom an application was made to the Supreme Court for a writ of *quo warranto*, to set aside the election. The trustees who had been returned elected retained Mr. O'Connor and Judge Platt; and Mr. O'Connor took the point that it was incumbent upon their opponents to show, not only that two illegal ballots had been cast, but that they were cast for the prevailing candidates, and would, if rejected, show that these candidates were in the minority, which could not be done, as they might have been cast, for all that appeared, for the defeated candidates; which view was taken by the court, and the application was denied.

Another election case, a few years afterward, in which he, assisted by John Duer, succeeded in setting aside the election of an alderman in the Sixth Ward, gave him a more general reputation, as it displayed to a highly interested auditory his peculiar skill in eliciting facts, and his trenchant mode of conducting a controversy. Another suit, about this time (1833), also added greatly to his reputation, as it brought out his peculiar powers. It was a proceeding in the County Court, then composed of the first and associate judges of the Common Pleas, and the aldermen of the city, for the removal of David M. Cowdrey, a clerk of the Assistant Justices Court of the lower part of the city, for improper behavior to the justice of the court, Eber Wheaton.

Wheaton had been a schoolmaster, who, to the habits of a pedagogue

added a most irascible temper, and Cowdrey was a dull, plodding kind of a man, who had a profound contempt for his principal, whose decisions he would not only comment upon in no very complimentary terms audibly in the court room, that all, including the justice might hear him, but frequently, when asked for information respecting suits, would exclaim loud enough to be heard by all present: "Go to the other end of the room, and consult that *just ass* there."

For a controversy of so little importance there was a great array of legal talent on this trial; Francis B. Cutting and George Griffen appearing for Cowdrey, and James R. Whiting and Mr. O'Connor for the prosecution. Of course, much use was made by counsel of Dogberry's exclamation, "Oh that I had been writ down an ass!" but the feature of the trial was Mr. O'Connor's picture of Cowdrey in the court room, and his scathing denunciation of him; a kind of invective of which he was an especial master, as all will recall who remember what he said in the Mason will case of the respectable counsel who prepared the will, George D. Strong, that "he ran a race with death, and won it;" or the passage in his speech in the Parish will case, where he describes Mrs. Parish, and the frauds and contrivances by which she secured the execution of the codicils; a passage which Judge Selden, in the opinion delivered by him in the case, refers to as exhibiting "a vigor of logic, a force of rhetoric, and a perfection of art that has rarely been surpassed."

The Sixth Ward election case and the County Court trial, made him, at that time (1833) very conspicuous. His practice in the Common Pleas greatly increased, and for many years afterward he was the most prominent lawyer in that court. In that and in the Marine Court he was almost constantly engaged in the trial of causes; and as the court then sat in the afternoon, and frequently late in the evening, it was very arduous; for, after the adjournment of the court, he had to work in his office until after midnight, looking into authorities and making briefs for the business of the morrow. It was a practice where the labor was great, and the remuneration by no means commensurate. For ten years, at least, after his admission to the bar, the compensation he received merely afforded him a respectable livelihood. Up to that time, he had not, as I have heard him say, been able to lay by anything for the future; which, in view of his incessant occupation, shows how small his professional remuneration *must have been*; for the bitter privations of his youth had taught him the value of money; and though at a later period he was most liberal and generous in the disposition of it, he was, as I know, at this time, very careful in the matter of expenditure, provident and economical. It was not, in fact, until the

trial of the Lispenard will case, when he had been nearly twenty years at the Bar, that he received, from the magnitude of the amount involved, a large compensation, which was richly deserved; for, although the Court of Errors had previously decided that Alice Lispenard had sufficient testamentary capacity, and directed her will to be admitted to probate as a will of personal property, Mr. O'Connor nevertheless succeeded, on this trial, by his skillful examination of the witnesses, and especially of the late James Watson Webb, in establishing beyond the possibility of reversal, that she had not sufficient mental capacity to make a valid disposition of her real estate.

That so many years should have gone by before he began to be retained in what are called weighty cases, was owing to the fact that progress at the Bar was not as easy then as it is now. The profession was more aristocratic. A line was drawn between those who had received a collegiate education and those who had not. The latter had to work their way up from the ranks, as it was called, and the way was long and the obstacles many. This experience he had to go through. He was made to feel how widely he was separated from those upon whom the rewards of the profession were bestowed, and with the aristocratic blood that flowed through his veins, he felt it deeply and keenly resented it.

There was not only this, but there were other obstacles, one of which was the great ability of his professional contemporaries. They were a remarkable body of men, many of whom had gifts which he had not, and others a larger experience than his in certain departments of the law.

John Anthon, who preceded him as the leading advocate of the Common Pleas, was one of the greatest *nisi prius* lawyers of this or any country. Thomas Addis Emmet was not only the greatest forensic orator the United States has ever known, but he was also a learned, able, and most industrious lawyer; and Ogden Hoffman, in eloquence, was inferior only to Mr. Emmet.

I have never heard the equal of Samuel A. Talcot, David B. Ogden or George Wood, in the argument of a case before the Court in bank; and these three men, with Peter A. Jay, Samuel Sherwood, Henry R. Storrs, and Benjamin F. Butler, were the leading lawyers, for years, upon all questions relating to the laws of real property, or which are incident to it. William Slosson was pre-eminent in everything relating to conveyances and the drawing of any kind of legal instruments; and Peter DeWitt, in the investigation of titles.

Mr. O'Connor especially excelled in what was then very important, the art of special pleading; but in this he would himself have admitted the superiority of Andrew S. Garr.

The great commercial lawyers were George Griffen, John Anthon, Seth P. Staples, Robert Sedgwick, Daniel Lord, John Duer, Francis B. Cutting and Samuel A. Foot. The first of these, George Griffen, was a thorough master of the law of insurance, which could not be acquired as easily then as it is now; and this Nestor of the Bar, as I remember him, could on occasions be exceedingly eloquent.

In criminal, especially in capital cases, the leading advocates, after the death of Mr. Emmet, in 1829, were Hugh Maxwell, William M. Price, Ogden Hoffman, and Henry M. Western; and later, Mr. O'Connor, David Graham, James T. Brady, and Ambrose L. Jordan.

There were departments of the law then, to which certain gentlemen devoted themselves exclusively. There was, for instance, a class of equity lawyers, from Caleb Riggs to Ralph Lockwood, who did nothing else, and who, of course, were better informed and had more experience in equity jurisprudence than other lawyers could possibly have; and yet Mr. O'Connor in time attained a very high rank as an equity lawyer, and was eminent also as an equity draftsman, although there were men like Hay S. Mackay, whose lives had been devoted to nothing else. In the management and trial of the cases that came solely before the United States Courts, there were a select few, Seth P. Staples, Burr and Benedict, and a few others, who attended specially to that class of business, and without the assistance of one of whom it was dangerous to go into the Admiralty Court, the practice in which was then a sealed book to the great bulk of the profession. In all the branches above enumerated, Mr. O'Connor had his equals, and in some, his superiors, especially at *nisi prius*, where many of his contemporaries were more impressive than he was, before a jury; notably Ogden Hoffman, Hugh Maxwell, John Duer, James W. Gerard, Henry M. Western, David Graham and James T. Brady.

He told me that he never could make a pathetic appeal to the jury, even in cases where he felt most deeply; and where this was requisite, he generally retained Ogden Hoffman, or some other eloquent advocate.

The question then arises, how was it that with such competitors he reached a position so high, and kept it so long? The answer is, that his course of training had been such that he became more of a general lawyer than any of his contemporaries. His business had been, from the first, as I have said, of a diversified character; and as it had been his habit to investigate with the greatest thoroughness every case that came into his hands, and the law relating to it, he became well informed and skillful in more departments of the law than most lawyers. In fact, from the time he commenced to try causes in the Ward Courts, he may be said to have

studied the law, not by the reading of treatises, but by learning what was applicable to the cases that he had in hand; and as he had great powers of application and a most tenacious memory, he acquired and retained a great amount of knowledge in every department of jurisprudence.

This study of the law through cases had another effect. It led to the frequent reading of the opinions of those judges whom we are accustomed to call "the sages of the law;" and becoming very familiar with these early masters of English prose, he acquired a style that was distinguishable for its purity, terseness and point.

Like all close thinkers, he was careful in the use of words, not only as respects their general signification and various shades of meaning, but even as to their sound. In summing up in the *Forrest* case, he could not recall a word to express exactly what he wished to say. On the following morning, reference was made at the breakfast table to the dog's prowling about, upon which he exclaimed, "'Prowl,' that is the very word I wanted yesterday."

It would be interesting to give some examples of his peculiar style, but my space will admit of but one. In the *Lemmon Slave* case, he answered the oft quoted assertion that the moment a slave puts his foot upon the soil of England he is free, by citing a statement of Hargrave, made upon the authority of Lord Holt and Justice Powell, that the common law of England recognized white slaves, such as villains and serfs, and the right of property in them, but that it did not apply to a negro, who, as soon as he came into England, was free; Mr. O'Connor's commentary upon which was, that "the air of England had not its true enfranchising purity till drawn through the nostrils of a negro."

Many lawyers confine themselves to some department of the law which they prefer, or for which they think they are adapted. But Mr. O'Connor's mind was different. It adapted itself with equal readiness to any branch of the law. He found a pleasure in overcoming obstacles and getting through difficulties. He liked to grapple with new questions and to get at the root of things. In his arguments, of which I have heard many, it was a prevailing habit with him to explain the reason of legal and equitable rules, by going into their history, showing how thoroughly he had investigated the foundations upon which they rested. It was this order of mind that enabled him to master so quickly so many branches of jurisprudence, and to turn from one to the other with the greatest facility. He was once asked to what he chiefly attributed his success at the bar, and he answered by one word, "Study." He was able to apply himself to study more closely than most men, for he was spare of habit, had an excellent constitution, and throughout his life was abstemious, both in eating and drinking.

In the early part of his career he devoted himself to his profession to the abnegation of nearly everything else. The ordinary amusements or allurements of youth were unknown to him. He had no youthful friends or associates that I ever heard of, unless it might be his clerk, Mr. Hogg, an intelligent young Scotchman, who died early. He was never seen at any place of public amusement, or at any social entertainment, but only in the courts or in his office, or walking alone in the streets, generally at night, that he might get the requisite exercise and think over his cases.

Even when his position at the Bar was well established he was rarely to be seen at any social gathering; which was the more remarkable, because the Bar was smaller then than it is now, and social meetings of the lawyers at the houses of each other were then very common. His habits of application were so fixed, and the routine of his daily life so uniform, that it appeared to be difficult for him to unbend, and on the very few occasions that I then saw him in company he appeared not only ill at ease himself, but somewhat of a check upon the enjoyment of others. I remember attending his first reception upon his going into a new house, I think in Tompkins Square, about forty-five years ago, and being struck with the very formal and awkward way in which he received his guests, showing how little he was then accustomed to such entertainments. All this, however, passed away as he grew older, became more distinguished and moved more in general society; but for many years, he was a man whom few cared to approach uninvited, or to assume any familiarity with; who would frequently, in the street, pass those he knew, looking them full in the face, without returning their salutation; a man of fits and moods, who, at times could be very communicative, and at others, chillingly repellant. The indignation of jurors was sometimes aroused by the manner in which he would reply to the Court when the ruling was against him, and he did not, like many of his distinguished contemporaries, take defeat gracefully, but for a long period of his professional career was very much given to attributing the decision of judges, when against him, to other motives than the consideration of the questions that had been argued. Upon this ground he brought himself upon one occasion voluntarily into open collision with the judges of the Court of Appeals of this State, and upon another, with the judges of the Supreme Court of the United States.

Mr. James C. Carter, in his review of Mr. O'Connor's professional character, at the Memorial meeting of the Bar, was of the opinion that he surrounded himself with a forbidding and mysterious air, and appeared severe, austere, and repellant; but that this was one of the instrumen-

talities of his art, by which he often bewildered and confounded his adversaries. My impression is otherwise; I think the peculiar characteristics I have pointed out were partly constitutional, but chiefly owing to a greatly occupied mind, and in some degree due to a habit engendered by the circumstances of his early life. His struggle upward, which, as I have said, had been long and arduous, had left its mark upon his character. His life had been one of incessant occupation, and for many years it had been a lonely life. He was deficient in many of the qualities that make a lawyer attractive. He had none of the eloquence of Hoffman, none of the genial pleasantry of Gerard, nor a spark of the wit and humor of Brady; but he had in place of those qualities what was effective but not attractive; a cutting irony and a power of sarcasm that was at times withering. His manner was formal and his ordinary speech defiant. For years there was a grim look about him that seemed to say: "I will cut my way through all obstacles, not with the talents or abilities of other men, but in my own way and by what is within me"—which he did; and when he did, the whole man appeared to me to have changed. He became more amiable. The bitterness with which he assailed or retorted in controversy passed away. The incisive irony which, in his hands, was such a weapon, was resorted to only thereafter when provoked by some individual act of injustice, or some great public wrong. He no longer derived satisfaction from unraveling and laying bare the motives of men, but became considerate of human infirmities, and rather disposed to be apologetic than otherwise of conduct he would formerly have condemned. In the trial of a case before Judge Mitchell in the Supreme Court, a lawyer who was much younger than himself and greatly his inferior, devoted a large part of his speech to the jury to a personal attack upon him. Judge Mitchell said to me that, knowing Mr. O'Connor's peculiar power, he felt how fearful the retribution would be, and was surprised and gratified to hear him say to the jury, with great dignity: "I could reply to this assault, but if I did, it would only injure him and do me no good."

After he had been about fifteen years at the Bar, his labors had been so great that his health gave way. The chief difficulty was in the organs most used and least cared for—the eyes. He was threatened with total blindness; and under the advice of physicians was compelled to give up all further work and go abroad. No American, I apprehend, ever went to Europe more unwillingly or cared less to see it when he got there. He dropped into the Courts in Westminster Hall to look at the judges and listen to the lawyers, but this was about all. His studies had not been of a nature to give him any interest in European travel. He had been devoted

exclusively to the law, knew little else and cared for little else. He went, however, to Ireland and visited the seat of his ancestors at Belanagare, in Connaught; the result of which was, that upon his return, he changed the orthography of his name. Before that time he and his father had spelled Conor with two n's; but he then dropped one of the n's, upon discovering that the family name was anciently spelled in that way. I was once asked if I knew why he had changed the spelling of his name from two n's to one; and I answered that he was descended from the Irish kings, and found, when he visited Ireland, that they spelled the name in that way; which information, Mr. Nathaniel Jarvis, the witty clerk of the Court of Common Pleas, who was present, supplemented with the remark that he supposed that the Irish kings had always been so poor that they had never been able to make both nn's (ends) meet.

He returned from Europe about 1840, with his health re-established and his eye-sight restored. Clients and retainers flowed in upon him; and in a very short time he came to be recognized as one of, if not the most, prominent of the leaders of the Bar. He now went more frequently into society, began to form intimacies with some of his professional brethren, and after his removal to Fort Washington in 1850, and especially after his marriage, he saw a good deal of company in his own house, where he was most courteous and affable to those who visited him.

His habit, however, of shutting himself up within himself was never entirely abandoned. He removed to Fort Washington for the benefit of getting a long walk to and from his residence. Mr. Nathaniel Jarvis was in the habit of going out every afternoon in the same train to Harlem, upon reaching which they would join each other and walk a long distance together, their respective residences being in the same direction. As this continued for several years, it would naturally be inferred that it would lead to a very familiar intercourse, especially as Mr. Jarvis is an agreeable gentleman; but, on the contrary, Mr. Jarvis told me that, although at times Mr. O'Connor could be chatty and agreeable, he would generally walk the whole distance without uttering a syllable.

He remained in active practice after his return from Europe for about twenty-five years. This was the most distinguished part of his career, during which his fame as a great lawyer was established. The eminence to which he attained may be said to have been due, in addition to his natural ability, to his untiring industry; the systematic way in which he worked; the close attention he gave to details, and the acuteness with which he anticipated every question that might arise. His summing up of a cause was always able; but his ability was chiefly shown by the skillful way in which he elicited

the facts, and by his management of the trial, which was generally owing to the thoroughness with which he had prepared himself for it. In this respect, Mr. Carter likened him to a great military leader, who when he stepped to the front of the battle, had every position guarded, and was ready to take instant advantage of any slip made by his adversary. But it was not always necessary for him to be prepared, for I have known him to argue questions of law and to try causes with remarkable ability where he had little or no time for preparation, and I have also seen him upon trials where everything appeared to be lost from unexpected disclosures in the evidence, display—to follow out the military figure—something of the genius of Marlborough, in the calmness with which he could survey the altered state of the field and direct the new movements upon which he relied for victory.

His memory was a great aid to him. I never knew a man who could remember past incidents and all the details of them, as fully as he. I was one of the first who was allowed to see him after his severe illness in 1875, when his death for many days was momentarily expected, in anticipation of which his biography had been published in the newspapers. I meant that the visit should be a short one, but he prolonged it to four hours, during which he talked over long-past events with which we were either connected or had some association, which he reproduced with a fidelity and minuteness that were marvelous, recalling things I had totally forgotten, detailing conversations in the very language that had been used at the time, and never pausing for an instant to recollect a name or a single particular; and I have frequently seen the same thing in the trial of causes. He could recall the slightest thing given in evidence with the utmost accuracy, which gave him great power in summing up on the facts; and this remarkable memory was equally available in stating with exactness what was contained in an adjudged case or a work of authority.

A striking proof of the effect of this was the respect always paid to him by the judges, and the confidence with which they relied upon any statement made by him. It was due alike to his accuracy and to his high professional integrity. He never sought to mislead the court as to the facts, or as to the law. He was quick to see where the weak point of his adversary lay, and most skillfully brought all his powers to bear upon it; but he did it fairly and manfully. He relied on the strength of his case, either with respect to the facts or the law; and never resorted to clap-trap exaggeration or misrepresentation of any kind to produce an effect upon the jury.

He and Gerard were once engaged before me in the defense of an important action growing out of the proceedings of the celebrated Vigilance

Committee of San Francisco, in California. Cutting was for the plaintiff, and whilst he was replying to a motion that had been made by O'Connor for a non-suit, he was annoyed at a conversation carried on behind him by O'Connor and Gerard, and suddenly turning upon them, said tartly: "Gentlemen, you are talking loud enough for the jury to hear you." Upon which Mr. O'Connor started up, blushing like a girl, and said: "I was not aware of it." "I know you were not," said Cutting, "for you are the last man at the Bar to do it intentionally." In fact, the class, by no means a small one, who suppose that chicane, cunning, falsehood and trickery are aids in the practice of the legal profession, have in him the striking example of a man who attained its highest honors and reaped its largest pecuniary rewards, without any of those low qualities—one of whose marked characteristics in every relation of life, professional and personal, from the commencement to the end of his career, was his truthfulness.

It remains but to fix his position as a lawyer; and I cannot do it better than in his own words. "The great lawyer," he once said in conversation, "is not the one who knows the most law, but who understands what the point involved is. I have known many cases," he said, "to go to the Court of Appeals where neither party knew what the real point was." If this be accepted as a satisfactory definition of a great lawyer, then he came up fully to the test.

Cutting having occasion to leave the city, requested him to argue a case for him before the Court of Appeals. He sent him the printed case and points, saying in his letter that he need not read the case, as the judgment below would undoubtedly be affirmed upon the points sent. "If Frank Cutting," said Mr. O'Connor to his partner, Mr. Dunham, "expects me to argue his case without my knowing everything that is contained between the covers of the appeal book, he is mistaken. I shall remain at home to-day to read it;" which he did, and the judgment was affirmed upon a point not suggested by Cutting.

After the Court of Appeals came into existence in 1847, Nicholas Hill and Mr. O'Connor were the two lawyers that were heard most frequently before it in the argument of important cases. One of the judges was asked whose briefs he regarded as the best, and his reply was that Mr. Hill's were the fullest and most exhaustive, but Mr. O'Connor's were the clearest. Hill was asked what he thought of Mr. O'Connor's arguments before the court generally, and he said, "O'Connor does not argue his cases, he states them;" which being communicated to O'Connor he expressed himself highly gratified by this appreciative compliment.

After 1865 he no longer went into court except in rare instances; but

confined himself to the giving of written opinions upon cases submitted to him. His investigation of legal questions was so exhaustive, and his knowledge of the law so extensive and so accurate, that these opinions were of the highest value, and were so constantly sought for as to occupy all the time that he was willing to devote to labor; which was in the morning, in his library at his house in Fort Washington, and in the evening, unless friends came to visit him. During this period he gave some portion of his time to literary pursuits. He was especially fond of reading Milton, and thought him a greater poet than Shakespeare, with whom, I apprehend, he was not as familiar. His mind was so absorbed in his professional duties that he had little or no leisure for literary or scientific pursuits during the greater part of his career, and it was not until late in life that literature became a recreation to him.

Throughout his life he was a man of sincere religious convictions, and whilst adhering steadfastly to the faith in which he was born, was broad-minded and tolerant with regard to all other sects or creeds, evidently believing in the truth of the passage in the Jewish *Talmud*—"That the pious among all nations have a share in the world to come."

An anecdote will illustrate this tolerant spirit. When Walker, the filibuster, had taken possession of the town of Granada in Nicaragua, all the clergymen fled, and he wrote a letter to Mr. O'Connor, requesting him to ask Archbishop Hughes to send out a priest, as there was not one in the place to render the offices of the church to the sick or the dying. Mr. O'Connor accordingly transmitted by letter the request to Archbishop Hughes. The Archbishop, a man of strong anti-slavery convictions, who looked with anything but favor upon Southern expeditions like those of Walker to extend the area of slavery, wrote to say that he was astonished that so good a member of the Catholic Church as Mr. O'Connor should send such a letter. Mr. O'Connor's reply was brief and characteristic; that he should have sent such a letter if the request had been made by Martin Luther.

To give even a brief account, in a paper like this, of the important cases in which he was engaged, in a practice that extended over more than half a century, would be impossible. The cases which he himself selected and which he had bound up and has left, by his will, to the Law Institute, alone fill seventy-nine volumes, octavo, to which should be added seven volumes of written opinions; and yet these eighty-six volumes extend only from 1849, which is little more than one-half of his professional career. The reports of cases in which he was engaged are distributed over more than 250 volumes of our State Reports; and when the importance of

many of those cases is considered, the questions they have settled, and the magnitude of the interests they involved, and we consider also the many trials in which he participated of which we have no report, it will be felt that



Ch. O'Connor

he has filled a space in the jurisprudence of this State greater than that of any lawyer that ever lived in it.

This is a very high distinction, but we have to connect with this his labors in the Courts of the United States, where he participated in

trials of national interest, and argued most important questions. This general statement will, I think, be sufficient to show what his professional labors were, and how incessant must have been the industry, and great the capacity of a man who could leave such a memorial as this behind him.

This sketch would be incomplete without at least some notice of his public, apart from his professional career. In early life he was nominated for assistant alderman of the Sixth Ward ; and being defeated by his own party, and in a ward where the Irish greatly predominated, he was mortified ; and never willingly thereafter sought public stations.

In 1846 he was elected almost unanimously a delegate from this city to the Constitutional Convention of the State ; but his influence in that body, even in the matter of the remodeling of the judiciary, was not what might have been expected from his high position as a lawyer, and great legal experience. He was one of the thirteen members of the Judiciary Committee, a committee that held forty-two meetings without coming to any result. Twelve of the members were lawyers. Each had a plan of his own, and, like Agamemnon's cocks, no one would give way to the other. The remaining member, who had no plan, was John L. Stephen, the celebrated traveler, and author of the works upon the ruins of Palenque and Yucatan ; who told me that, as his vote gave the preponderance, he voted for the plan of the chairman, Judge Ruggles, which was the plan that was adopted, solely because he talked the least.

Mr. O'Connor advocated his own plan in the convention and opposed that of the majority. I was present in Albany during the debate, and from a legislative point of view, Mr. O'Connor's speech against the report of the majority of the committee was not equal to that of Ambrose L. Jordan in support of it ; who carried the convention with him. The abolition of the Court of Chancery, and the union of legal and equitable remedies in the same tribunal, however, was mainly due to Mr. O'Connor, for he knew more of the working of the separate systems that then existed than any other lawyer in the State. This great reform was opposed by some of the oldest and ablest lawyers in the convention ; but they were answered by a masterly speech on his part, that admitted of no reply.

The only office he ever held was that of United States District Attorney, which was by request, until a suitable person could be found to fill it. After 1850, he interested himself in national politics, taking the extreme Southern view upon the subject of slavery, and when the war occurred, condemning the prosecution of it on the part of the North.

My views were so opposed to his upon the subject of slavery, and upon

the war, that I saw little of him for some years; not, in fact, until the illness in 1875, to which I have referred.

He visited Europe in 1869, and went to Rome, during the sitting of the *Æcumenical Council*; but, as I judged from his remarks, neither his tour, nor the imposing ceremonies that he witnessed there, interested him much. His illness in 1875 was a severe one, and left behind it an impairment of the stomach, from which he never fully recovered.

About five years before his death, he thought that the air of Nantucket agreed with him better than that of New York; and he removed there permanently, erecting a capacious house, upon a sand bluff overlooking the sea, and an adjoining building for his large library.

I visited him there, in the summer preceding his death, and thought that, at his age, and with his temperament and habits, he had made a mistake in quitting the metropolis where his former life had been passed, to end his days among people with whom he had had no previous associations.

In 1877 he was invited to deliver an oration before this society (the New York Historical Society), in commemoration of the centennial of the adoption of the constitution of this State. The occasion, it will be remembered, drew together an immense audience to hear him, that packed the Academy of Music to its utmost capacity; and he regarded this ovation as one of the most gratifying events of his life. After his retirement to Nantucket, he expanded what constituted the chief subject of this address into an article on Democracy for Johnson's *Cyclopedia*, and followed this up by a long letter that appeared in the public journals, to show that our political institutions have been a failure, and proposing for the country a new form of government.

The article on Democracy is rather a statement of his conclusions and recommendations, than an historical inquiry or exposition; for it never appears to have occurred to him that the adequate way of treating such a subject was by the historical method which has been followed from Montesquieu to Lieber. Both in this and in the letter he points out the defects in the working of our institutions that have long been apparent to all thoughtful men, and which, indeed, may be said to be now recognized by nearly every one but the practical politicians; but when he comes to suggest the remedies for these evils, we are impressed by the conviction that the qualities that make a great lawyer do not necessarily make a statesman. The remedies briefly enumerated are these:

The abolition of all party government and of the ballot, which mode of voting he considered the permanent basis of the present trade in politics.

The election of the chief executives and members of all legislative bodies for fixed periods, but all other officers to be removed for cause only. Rotation in office, he declared to be a false political doctrine, with a remark, that cannot be too highly commended, that "faithful service and proved capacity are singular grounds of disqualification."

His further remedies are : direct taxation and the abolishing of all duties. No coining of bullion by the government, or issuing by it of paper money. No revenue from or giving away of the public domain. The creation of corporations only under general laws. Diminishing the power to make war by taking away the authority to borrow money. An ultimate Court of Appeals, to be composed of judges selected from the States. The separate State governments to be abolished. The United States Senate also to be abolished, and the House of Representatives to be confined to



CHARLES O'CONOR'S HOUSE AND LIBRARY AT NANTUCKET.

the making of general laws ; and lastly, the President, or Chief Executive of the nation, to be selected by lot, monthly, from the Representative body. Many minor details are given which I shall not enumerate.

He did not, in his new home, altogether abandon his profession. On the contrary, although past eighty, he came in April, 1884, to this city, on his way to Washington, to argue a case before the Supreme Court of the United States, and as the argument was postponed, he remained here a few days. I called upon him, and was concerned to hear him say that he could no longer read nor write ; that his eyes failed him, and that he had to depend upon a young lady who was present and acted as his secretary. His eye had still much of its former luster and his voice had the old ring in it ; but there was something in his face which indicated that the time was not far distant when the curtain would be drawn upon all mortal things ; but I did not anticipate that it would be so soon.

On his way back to Nantucket, he caught a severe cold, which continuing after his return, acted rapidly in reducing a system already greatly impaired, and from which, at his time of life, it was difficult to rally. He felt that his end was approaching, arranged the details of a somewhat lengthy codicil to his will, and received the last offices of the church in which he was born ; his mind remaining clear to the very last.

On the afternoon of May 12th, 1884, a few moments before his death, he rose up in bed, opened his eyes, and stretching out his hand to his physician, said in a clear strong voice: "My God," and then expired; so that his close may not inaptly be described in the well-known lines of Dr. Johnson, that

"—with no fiery throbbing pain,
No slow gradations of decay,
Death broke at once the vital chain
And freed his soul the nearest way."

Chas. P. Daly

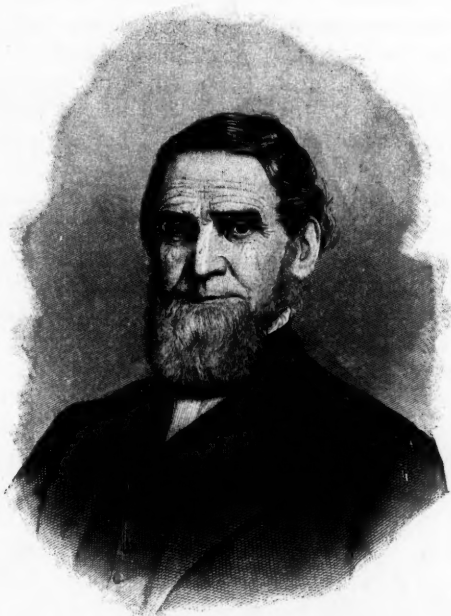
ASA PACKER AND THE LEHIGH UNIVERSITY

That quaint old Moravian Borough of Bethlehem, Pennsylvania, that boasts of having extended its hospitality to Washington, Lafayette, Franklin, Pulaski and others of Revolutionary fame, has the present honor of being the seat of the Lehigh University, founded by Asa Packer and by him alone endowed, which, although scarcely seventeen years old, is one of the richest institutions of learning in this country, and when the various trusts created by the last will and testament of its founder shall have expired, will probably be second to none in its pecuniary resources. Every student of this University willing and capable of keeping up with its curriculum is educated free. Such was Asa Packer's direction.

St. Luke's Hospital, so well known throughout Eastern Pennsylvania for its noble and practical charity, is also sustained by the endowments of Asa Packer. Indeed, when we consider the scope of his generosity, of which Washington and Lee University of Virginia, Muhlenburg College at Allentown, Pennsylvania; Jefferson Medical College of Philadelphia; and many churches throughout his native State, of different denominations, can bear witness, we can the better appreciate how truly catholic were his gifts. His benefactions did not pause upon State lines nor recognize sectional divisions. In speaking of his generosity, Senator T. F. Bayard once said: "The confines of a continent were too narrow for his sense of human brotherhood, which recognized its ties everywhere upon this footstool of the Almighty, and decreed that all were to be invited to share in the fruits of his life-long labor."

Asa Packer was born in Groton, New London County, Connecticut, on the 29th day of December, 1805. His father, Elisha Packer, although a good man, was unsuccessful in business and had not the means to educate his son. It became necessary for the latter to maintain himself, which he did by obtaining employment in a tannery at North Stonington. This engagement was, however, of short duration, on account of the death of the owner of the tannery. Young Packer was then reluctantly compelled to seek the plodding and unpromising labors of the farm. But his soul was aflame and he could not brook a monotonous life. The tall wiry youth of eighteen, with a light purse and mean outfit, yet with faith unshaken and will unconquerable, left his native State to carve for himself a fortune and a home. Like Franklin and Girard he settled in Pennsylvania, to fight

the battle of life, equipped like them with no other weapons than industry, perseverance, and courage. He traveled on foot from Connecticut to Susquehanna County, Pennsylvania. Here he settled and learned the trade of carpenter and joiner. From this occupation he derived his livelihood for more than a decade. Here he purchased, at a small price, a

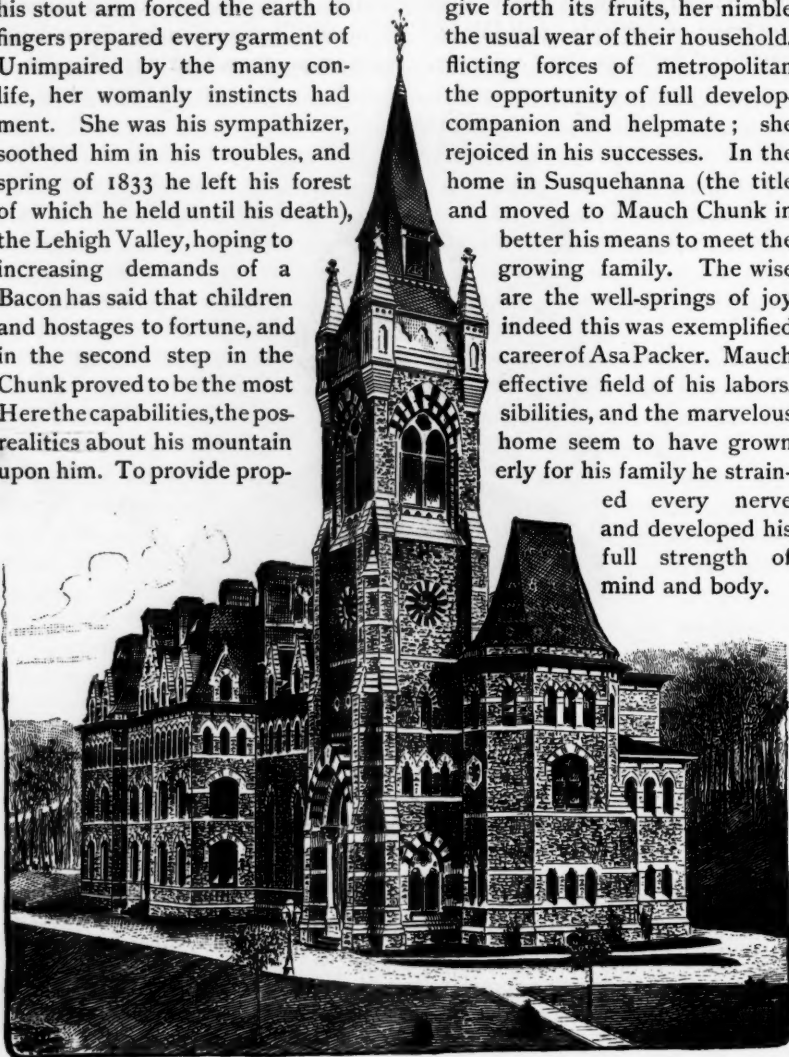


Asa Packer

few acres of land on which still stood the native forest. With his own hands he cleared this tract of trees and built a log-house. He literally made the solitary place rejoice and blossom as the rose. It is almost impossible for us of to-day to appreciate the magnitude of such an undertaking. In those times "a man was famous according as he had lifted up axes upon the thick trees." That portion of Pennsylvania, now the most valuable and productive, was, seventy years ago, a wilderness of primeval forests. To a

log-house he led his young bride, who was to be the pride and stay of his heart for more than fifty years till the world faded from his eyes. While his stout arm forced the earth to fingers prepared every garment of Unimpaired by the many con- life, her womanly instincts had ment. She was his sympathizer, soothed him in his troubles, and spring of 1833 he left his forest of which he held until his death), the Lehigh Valley, hoping to increasing demands of a Bacon has said that children and hostages to fortune, and in the second step in the Chunk proved to be the most Here the capabilities, the pos- realities about his mountain upon him. To provide prop-

give forth its fruits, her nimble the usual wear of their household. flicting forces of metropolitan the opportunity of full develop- companion and helpmate; she rejoiced in his successes. In the home in Susquehanna (the title and moved to Mauch Chunk in better his means to meet the growing family. The wise are the well-springs of joy indeed this was exemplified career of Asa Packer. Mauch effective field of his labors. sibilities, and the marvelous home seem to have grown erly for his family he strain- ed every nerve and developed his full strength of mind and body.



PACKER HALL.

[From a photograph by H. B. Eggert, Bethlehem, Pa.]

For a while he pursued his handicraft. In his leisure moments, however, he was carefully considering the great problem of transporting the vast supplies of coal and iron of the Valley of the Lehigh to the centers of the world's manufacture and consumption. During the latter part of the year 1833 he chartered a canal-boat, and, himself commanding and performing a great part of the manual labor, carried coal from Mauch Chunk to Philadelphia through the Lehigh Canal. This was the first of the series of acts by which he was to aid the great gifts of nature to unroll them-



THE LUCY PACKER LINDERMAN LIBRARY BUILDING.
[From a Photograph by H. B. Eggert, Bethlehem, Pa.]

selves from the fountain-head and pour their flood of wealth into the lap of the country's commerce. This first venture being a success, he secured another boat and doubled his business. In 1835 he took his brother into partnership, and in addition to the coal transportation they commenced dealing in general merchandise. This firm, known as A. & R. W. Packer, was the first through-transporters of anthracite coal to the New York market. Heretofore the coal had been transshipped in Philadelphia into sea-going vessels. The idea of so constructing canal-boats as to take their freight directly to New York through intervening bays and rivers was con-

ceived by Asa Packer. When this idea was realized, the business of the firm grew to large proportions, and he was brought into frequent intercourse with the capitalists of New York of that day. The necessity of increased and cheaper production, as well as quicker and shorter transportation, now forced itself upon him. He recognized the fact that the old methods of transportation must give way to the power of steam. He

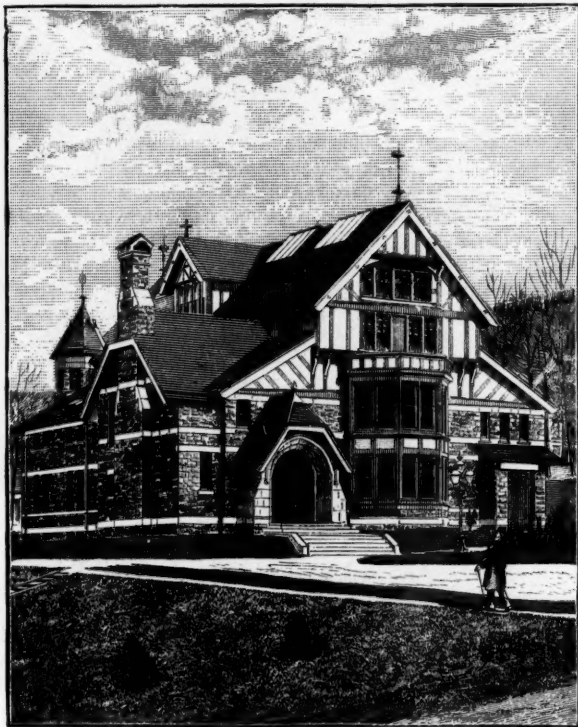


INTERIOR OF LIBRARY.

[From a Photograph by H. B. Eggert, Bethlehem, Pa.]

urged upon the Lehigh Coal and Navigation Company the necessity of building a railroad along the banks of their canal as part of their system of works; but the company declined to do so, giving as their reason that articles heavy and bulky for their worth like coal and lumber could only pay water freights. The project of a railway through the valley of the Lehigh and along the banks of the Lehigh River was the result of the foresight of a man far in advance of the experience and wisdom of his time. In September, 1847, a charter was granted to the Delaware, Lehigh, Schuylkill and Susquehanna Railroad Company. But this rail-

road project almost died in its birth. On the 4th of April, 1851, seventeen days before the charter would have expired by its own limitation, Asa Packer appeared as one of the Board of Managers, and by his efforts the grading of one mile of railroad near Allentown, Pennsylvania, was authorized and the limitation thereby avoided.



GYMNASIUM.

[From a Photograph by H. B. Eggert, Bethlehem, Pa.]

In 1853 the name of the company was changed to the Lehigh Valley Railroad Company. Mr. Packer had secured a controlling portion of the stock, which at this time was not a difficult matter, as there existed but little confidence in the success of the enterprise. But such was Asa Packer's confidence in the project which had originated in his mind that he submitted a proposition to build the road from Mauch Chunk to Easton, a distance of forty-six miles, for a consideration to be paid



THE HOME OF JUDGE ASA PACKER.

in stock and bonds of the company. This proposition was virtually an offer to build the work himself, and was adopted. The work was commenced, and proceeded with great vigor under his personal supervision and direction. But, as he received in payment only stocks and bonds many embarrassments had to be overcome to obtain money to pay the expenses. In the difficulties which at this time surrounded him, Mr. Packer applied not in vain to his generous friend the late Commodore Stockton, who gave him most valuable aid, knowing well how to sympathize to some purpose with a great mind struggling under difficulties. In September, 1855, the proposition, made four years previous by Asa Packer, to build the Lehigh Valley Railroad was realized and he delivered the railroad complete to the company.

It is needless to further pursue the growth of the railroad. As Hannibal and Napoleon had scaled the lofty Alps with engines of war to slay and destroy, Asa Packer had climbed the almost inaccessible heights of the coal regions of Pennsylvania with engines of peace to build up prosperity. His enterprise proved successful and, as the result of his skill, industry and pluck, wealth came to him.*

He was elected President of the Railroad Company, which position he held to the day of his death. The mountain-side of the anthracite coal

* The site of Judge Packer's plain brick house at Mauch Chunk was excavated from the hill-side, with results exceptionally picturesque. The view from it embraces three enterprising villages, with frowning and bold precipices between. "Mauch Chunk is in itself one of the most wild and singularly romantic combinations of mountain, forest, glen, and river that can be seen on this side of Switzerland. Nature seems to have distributed her mountains regardless of appearances, order or quantity; it is an heterogeneous medley, a saturnalia of wood-covered hills. Through them dashes the dark, sparkling Lehigh River, one of the most spirited of streams, not at all checked by the fact that it is the hardest worked river in the world. The thousand Undines that hide under its ash-colored and coal-stained waters jump up in white raiment and beautify the rocks, the waterfalls, the dams, and the rifts, which abound. So subservient has this river been made to the gigantic industries of coal and iron that it is dammed every few miles, and the long, silent, fair reaches above these obstructions remind one of Hamerton's picture of "The Unknown River," as the willows sweep the banks, and are mirrored in its placid surface. Then the scene changes, and the impetuous water finds its own varied and rapid way by rocks and rifts, and throws itself, with bold grace, over each impertinent obstacle. Few railway-rides can be more charming than that from Easton to Mauch Chunk, along the banks of this river. The traveler is treated to every variety of river-view before the grand and sublime vista breaks upon him which is opened by Lehigh Gap. Then come valley, mountain, and glen, until the unrivaled gorge at Mauch Chunk reveals itself, as a sudden turn round a modest elevation of seven hundred feet brings the railway-carriage to this hemmed-in, picturesque, and beautiful spot. The limitless coal-trade of the Lehigh Valley sends through this gorge long, serpent-like trains of coal-cars, and no sooner has one black, sinuous snake disappeared, than another takes its place. They crawl, not noiselessly but perpetually, these trains of black diamonds; and then on other tracks come dashing heavy freights of humanity,—such a conglomerate of railway-tracks, such a whizzing of engines, is rarely heard; it is the one drawback to the pleasures of the scenery. But after the visitor has watched the untiring labor of men who have dug out the iron from these towering mountains, and exhumed five million tons of coal in one year, the question naturally arises: 'Whose brain held the motive power to set all these giants in motion? Who caused these iron roads to penetrate these rocky bluffs through such formidable obstruction, through these solid and interminable beds of limestone? Who has moved inert masses, and who has made this singular gorge, where Nature has defended her solitudes and her hidden treasures by such elaborate defenses, such sullen and frowning fortresses, to yield up its key to his "Open sesame," and conquered her very rocks and rivers as his slaves?' The people answer, echoing the name of the man who made himself a millionaire, and contributed to the wealth of his neighborhood thousand of millions by creating these industries.

"Judge Packer's fame does not stop here among the triumphs of engineering. Not content with conquering Nature, he turned benignly toward the education of the multitude. He founded Lehigh University, and the fruits of his bequests will influence thousands of the great human family who may never hear his name."—*Homes of America*.

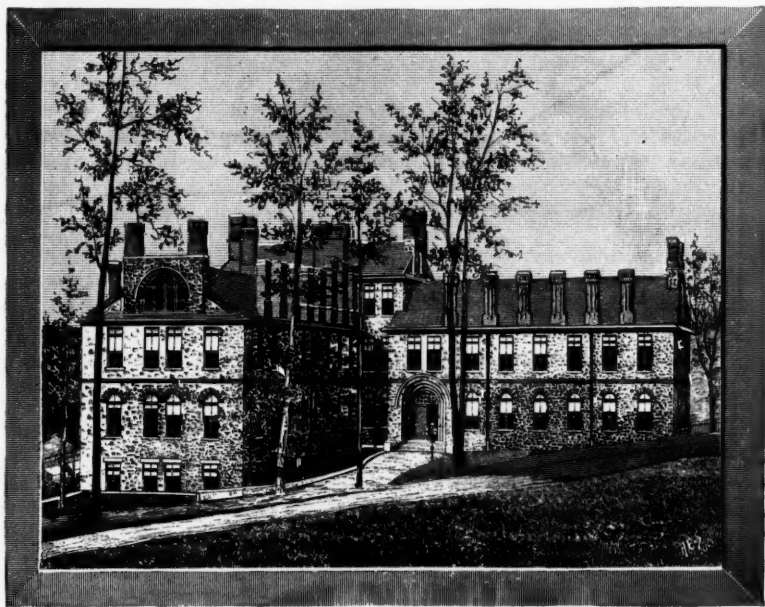
district of Pennsylvania was struck, and from its inexhaustible mineral wealth came plenteously coal and iron to gladden many a nook and corner of his country with busy workshops and comfortable homes.

Politically, he was a strict but not an ultra Democrat. In 1842 and 1843 he was elected to the State Legislature, his object being to secure, if possible, the creation of a new county out of that part of Northampton County lying north of the Blue Mountains. In this he succeeded, and in 1843 the County of Carbon was organized. He was elected one of the two first associate judges, from which he derived his title of Judge Packer. Although these associate judges generally were useless ornaments and have been discontinued in many counties in Pennsylvania, still Judge Packer proved himself of much service to his county in his judicial position, for it appears that he frequently held court and tried causes in the absence of the president judge. In 1852 he was elected to the National Congress as a Democrat, and again in 1854. He was not a noisy member, but his integrity and good judgment gave him a quiet influence which made him a useful member to his constituents.

Two offices of much higher dignity, if not necessarily of more importance to his community—those of Governor of Pennsylvania and President of the United States—were afterward brought within the reach of his ambition, if not of his achievements, by the faith which the people of Pennsylvania gradually learned to repose in his sagacity, honesty and liberality. In July, 1868, during the contest in New York over the Democratic nomination for President, which was finally decided in favor of Horatio Seymour and against Chief-Justice Chase, Mr. Packer's name was brought forward by the Pennsylvania delegation as a compromise candidate. Through fourteen ballots Pennsylvania voted solidly for him. On the fifteenth ballot his name was withdrawn, and the delegation then voted for General Hancock, and subsequently for Governor Seymour. In 1869 Judge Packer was nominated by the Pennsylvania Democratic Convention for Governor. This nomination was not desired by him; the State was overwhelmingly Republican, and his tastes and interests were not in politics. The unsought honor was pressed upon him and finally accepted. He did not throw himself and his means of influence into the canvass. Asa Packer might have been a statesman, never a politician. His popularity throughout the State was alone almost sufficient to defeat the twenty-five thousand Republican majority which General Grant had the year before over Governor Seymour, for Judge Packer was declared defeated by only four thousand five hundred. Soon after the announcement of the vote, many even of his political enemies published the fact that he had been "counted out."

After the canvass of 1869 Judge Packer took no active part in politics, although always being interested in the success of the Democratic party.

Judge Packer died on the 17th day of May, 1879. He is buried in the little hillside cemetery at Mauch Chunk in the Lehigh Valley. An unostentatious marble shaft marks his last resting-place. The great monument of his many exceptional qualities is the Lehigh University, named not *after* but *by* him, with his usual modesty. The expressed desire of Judge Packer,



THE LABORATORY.


[From a Photograph by H. B. Eggert, Bethlehem, Pa.]

as well as the wording of the charter, render it impossible to ever change the name of the institution; however, the principal building of the University (and it is a model of academic architecture) has been, since his death, named after him "Packer Hall."

The total amount Judge Packer gave from time to time to this University is about two and a half million dollars. By the probable increase through judicious investments, and by the large share of the estate which will eventually come to the University on the expiration of the various trusts created by Judge Packer's last will and testament, it will be one of

the wealthiest institutions of learning in this country. Because of its present wealth, and the probability of an increase, of its central situation, and freedom from all prejudices which are gathered around some of our older colleges, this institution may be the commencement of the first true *American University*. The buildings of the University are situated in a well regulated park of some twenty acres. The original forest trees, which witnessed the early Moravian struggles and compromises with the savage, form now the collegiate shades of Lehigh, from whose doors no deserving youth is ever repulsed. Asa Packer was indeed "a noble of Nature's own creating."

David Brodhead



ANTIQUITIES IN THE WESTERN STATES

There can be no more fascinating field of research, nor one which offers a wider scope for conjecture, than that which the antiquarian finds in his studies among the ruins and relics of a peculiar people who centuries ago—ages before the red man came—inhabited this country. These researches and discoveries, while they throw no light upon the subject of the origin or character of this people, have revealed enough to prove beyond a doubt that a race existed upon this continent who possessed to a remarkable degree the knowledge of arts and sciences now unpracticed and unknown.

As a writer once said in connection with this subject: "If it is pleasing as well as useful to learn the history of one's country, to feel a rising interest as its beginnings are unfolded, and its sufferings, its wars, its struggles, and its victories delineated, why may it not also be agreeable to read the story of its antiquities, which are of a graver and more majestic character than anything connected with modern history."

It has been a favorite theory with some that the first inhabitants who peopled America came hither by land at a period when it was united with Asia, Europe and Africa, a bond of union which was ruptured by the force of earthquakes and upheavals by internal commotions, thus severed into distinct continents; so that those animals which had not passed over before this great physical disturbance and rupture were excluded, while the men could resort to the use of boats. Whatever may have been the means of reaching this country, from whatever point, or at what period can only be conjectured, but that the emigrants were a partially civilized and an agricultural nation, possibly equal in number to the present, cannot be successfully disproven. One of the most extensive of the ancient works in the West, was the fort, town or fortification on the Muskingum River in Ohio. Its site was on an elevated plain, above the present bank of that river, about half a mile from its junction with the Ohio. As described by a writer in a MS. written about 1830, now held by a gentleman in Michigan, it consisted of walls and mounds of earth, in direct lines and in square and circular forms, and was about four hundred rods in circumference, so situated as to be nearly surrounded by two small brooks running into the Muskingum. The largest *square* fort, by many called the town, contained forty acres, encompassed by a wall of earth,

from six to eight feet high and from twenty to thirty feet in breadth at the base. On each side were three openings at equal distances, resembling twelve gateways. The entrances at the middle are the largest, particularly on the side next the Muskingum. From this outlet is a covered



A view of the
Ancient Works on
the Muskingum,
near Marietta, O.

EXPLANATION.

- | | |
|---|---|
| NO. 1—WALLS OF THESE WORKS. | AND 8 HIGH, WITH A SUBTERANEAN WAY LEADING TO ITS TOP. |
| NO. 2—THE CONICAL MOUNDS. | NO. 5—REMAINS OF AN ANCIENT WELL. |
| NO. 3—ENCLOSED BY A CIRCLE, REPRESENTS A VERY LARGE MOUND SURROUNDED BY A WALL AND DITCH. | NO. 6—TWO PONDS, OR EXCAVATIONS. |
| NO. 4—A 2D OCTANGULAR SQUARE, 150 BY 120 FEET. | NO. 7—ELEVATED OCTANGULAR OBLONG SQUARE, 180 FEET LONG, 30 BROAD, AND 9 HIGH: LEVEL ON THE TOP. |
| NO. 8—A 3D ELEVATED SQUARE, 180 FEET BY 54; NOT AS HIGH AS THE OTHERS. | |

way formed of two parallel walls of earth two hundred and thirty feet from each other; the walls at the highest point on the inside are twenty-one feet, and forty-two in width at the base, but on the outside average only about five feet high. This forms a passage of about twenty rods in length, leading, by a gradual descent, to the low grounds, where at the time of its construction it probably reached the river. Its walls commenced at sixty feet from the ramparts of the fort, and increased in elevation as the way descended to the river. The bottom is rounded in the center, or "crowned up," like a well-constructed turnpike road. Within the walls of the fort, at its north-west corner, is an oblong elevated square one hundred and eighty feet long, one hundred and thirty-two broad and nine feet high, level on the summit and nearly perpendicular at the sides. "Near the south wall," the account says, "is an elevated square one hundred and fifty by one hundred and twenty-eight feet high, similar to the other, excepting that instead of an ascent to go up on the side next the wall, there is a hollow way ten feet wide, leading twenty feet toward the center, and then rising with a gradual slope to the top. This was most likely a secret passage. At the south-east corner is a third elevated square of one hundred and eighty by fifty-four feet, with ascents, at the ends, ten feet wide, but not so high nor perfect as the others.

"Besides this forty-acre fort, which is situated within the great range of the surrounding wall, there is another containing twenty acres, with a gateway in the center of each side, and at each corner these gateways are defended by circular mounds. On the outside of the fort is a smaller mound, in form of a sugar-loaf; its base is a perfect circle, one hundred and fifteen feet in diameter or twenty-one rods in circumference. Its altitude is thirty feet. It is surrounded by a ditch four feet deep, fifteen feet wide, and defended by a parapet four feet high, through which is a gateway toward the fort twenty feet in width. Near one of the corners of the great fort was found a reservoir or well twenty-five feet in diameter and seventy-five in circumference, having its sides elevated above the common level of the adjoining surface by an embankment of earth three or four feet in height." It was undoubtedly very deep when in use, as since its discovery by the English settlers, they have frequently thrust poles into it to the depth of thirty feet. It appeared to run to a point like an inverted cone or funnel, and was undoubtedly that kind of well used by the inhabitants of the old world, which was generally large enough at its top to allow an easy descent down to the fountain, and convenient ascent with the water borne in a vessel on the shoulder according to the ancient custom. On both sides of these walls have been found articles of pottery and copper utensils; one was in form of a cup, another a vase, and one very

curious hammered copper jug with handles on each side—showing an enlarged acquaintance with that metal, far exceeding that possessed by the Indians.

At Marietta, Ohio, also, there are, or were, some years since, remains of extensive fortifications, consisting of walls running in straight lines, some six or ten feet in height, inclosing nearly fifty acres of ground, possessing many peculiar features in their construction, and showing evidences of superior engineering skill, and where, too, many articles of interest have been found.

The French of the Mississippi once had a tradition that an exterminating battle was fought in the seventeenth century, about one hundred and eighty years ago, on the ground where Fort Harrison stood, between the Indians living on the Mississippi and the tribes on the Wabash. The bone of contention was the land lying between these streams, which both claimed. There were engaged in this battle about two thousand warriors on each side, and the issue was, of course, to decide the question as to the future possession of the lands. The grandeur of the prize for which they were contending was peculiarly well calculated to inflame the ardor of the savages, and the contest was a fierce and bloody one, commencing at sunrise and continuing without cessation until sunset, when the Wabash warriors came off victorious; but nearly the whole force engaged lay dead upon the field. The victors, it is stated, had but forty and the vanquished but twenty warriors remaining alive.

As to the state of the arts among the more ancient nations of America, some idea may be gained from the curious facts brought to light by the discoveries that they made brick of good quality; and articles manufactured of copper and plated with silver have been met with, on opening some of their ancient works. In several tumuli the remains of knives and even of swords, almost destroyed by rust, have been discovered. Glass has never been found in any of their works in the Ohio valley except in one instance; "but mirrors made of isinglass have been in as many as fifty places within my own knowledge," says Mr. Atwater, in a paper written for the Antiquarian Society; "one a very large and elegant article found near Cuchulle." From the great thickness of these micæ membraneca mirrors they answered the purpose very well indeed.

Along the Ohio, where the river had in many places worn and washed away its banks, hearths and fire-places are brought to light two, four, and even six feet below the surface. Two stone covers of stone vessels were found in a stone mound in Ross County, Ohio, ingeniously wrought and highly polished. These covers and vessels were quite equal to and closely resembled similar articles used in many parts of Italy. In digging

a trench on the Sandusky River (fifty years ago), in alluvial earth, at a depth of eight feet was found a pipe which displayed great taste and skill in its manufacture and carving. The rim of the bowl was in high relief, and the front represents a beautiful female face. The stone of which it is made is the real *talc graphique*, exactly the same as the stone of which the Chinese made their idols. No talc of this species is known to exist on the west of the Alleghanies. It must have been brought, therefore, at some remote period from some part of the Old World. Fragments of fishing nets and moccasins, or shoes made of a species of weed, have been found in the nitrous caves of Kentucky. The mummies which have been found in these places were wrapped in a species of coarse linen cloth, about the texture of burlaps or a trifle finer. It was evidently woven by a process similar to that which is in vogue in the interior of Africa, the warp being extended by some light machinery and the woof passed across it; it is then twisted, every alternate two threads of warp together, before the second passage of filling. The second envelope or covering of these bodies was a kind of net-work of coarse threads formed of very small loose meshes, in which were fixed the feathers of various birds.

The art of this tedious but beautiful manufacture was known to the inhabitants of Mexico and of the islands of the Pacific. In the latter the robes thus made constituted the State or Court dress. The outer covering of these mummies usually consists of leather. The manufacture of leather from the hides of animals, is a very ancient invention known to almost all the natives of the earth; but to find it in America wrapped around mummies as in several instances brought to light in nitrous caves and in Kentucky caverns, shows a knowledge of a branch of arts in the possession of the people of America at an era coeval with the Egyptians—as the art of embalming is found in connection with that of tanning the skins of animals.

Among the vast variety of discoveries made in the mounds, tumuli and fortifications of these people, have been found not only hatchets made of stone, but axes as large and much of the same shape as those made of iron at the present day, also pickaxes and pestles and mortars, with various other implements. Besides these there have been found very cleverly manufactured swords and knives of iron or steel.



THE CAVE MYTH OF THE AMERICAN INDIANS

I

Among the curious things discovered by the Spaniards in the New World was a novel account of the origin of mankind. "There is in the island," says Peter Martyr, speaking of the island of Hayti, "a certain region, called *Gaunana*, where they say that mankind came first out of two caves of a mountain; and that the biggest sort of men came out of the biggest cave, and the least sort out of the least cave." (Peter Martyr—*Decades*, i. Bk. ix.) Peter Martyr goes on to relate a legend of this notable event—how these first men were opposed by the sun-god in their first attempts to escape from their subterranean prison, and how many of them were metamorphosed into rocks, animals, etc.; but the story is somewhat confused as well as puerile, and need not be repeated here. It is chiefly interesting as the earliest recorded version of a remarkable origin-tradition, which has been found to run through the entire length of America, cropping out here and there, under various forms, with a frequency which makes it a marked feature of the American folk-lore.

The natives of Greenland told the missionary Egede that the first Greenlander came out of the ground, and that he got his wife out of a little hillock. (Egede—*Description of Greenland* (London), p. 185.) The Patagonians, at the other extremity of America, are said to have a tradition that the first of the human race were created, together with all the animals, "in great holes in the earth," and that they were then brought out of the ground by the gods, their creators, and were turned loose "to shift for themselves." (J. G. Müller—*Die Amerikanischen Urreligionen*, 3, 266.) From various intermediate parts of America similar tales have been reported by numberless authorities, varying in their details or given without any details, all pointing to the existence among the American aborigines of a wide-spread belief that their earliest ancestors were created within, or at least once lived within the interior of the earth.

Among the United States tribes such notions are, or were, very common. Heckewelder, speaking of the Lenni Lenape, or Delaware Indians, says: "They consider the earth as their universal mother. They believe that they were created within its bosom, where for a long time they had their abode before they came to live on its surface. . . . As to the form under which they lived while in the bowels of the earth, their mythol-

ogists are not agreed. Some assert that they lived there in the human shape, while others, with greater consistency, contend that their existence was in the form of certain terrestrial animals, such as the ground-hog, the rabbit and the tortoise." (Heckewelder—*Manners and Customs of the Indian Nations*, p. 249.) Similar views respecting their origin were held by the Iroquois. The Reverend Christopher Pylæus, who had lived among the Iroquois and spoke their language, had been told, according to Heckewelder, "by a respectable Mohawk chief," a tradition as follows: "That they had dwelt in the earth where it was dark and where no sun did shine. That though they followed hunting they ate mice, which they caught with their hands. That Ganawagahha (one of them) having accidentally found a hole to get out of the earth at, he went out, and that in walking about on the earth he found a deer, which he took back with him, and that both on account of the meat tasting so very good, and the favorable description he had given them of the country above and on the earth, their mother, concluded it best for them all to come out; that accordingly they did so, and immediately set about planting corn," etc.

We are not told by Heckewelder whether these traditions of the Delawares and Iroquois were associated by them with any particular localities. Usually, however, the place of origin is pointed out in some suitable spot within or near the territory of the tribe, and is naturally held in peculiar veneration. The natives of Hayti, as has been seen above, showed the very caverns out of which the first men came; and we are told by Cussic, a later authority for the Iroquois tradition, that the place at which the first small band of Indians was believed to have issued from the earth was a certain eminence near the Oswego falls. (Schoolcraft, *Ind. Tribes*, part v., p. 636.) In like manner the Wichitas, on the Red River, believed that their forefathers came out of the mountains which bear their name. (Marcy, *Exploration of the Red River*, p. 69.) The Choctaws and others of the so-called Apalachian tribes, connected a similar tradition with a certain artificial mound within their former territories. In a cave within this hill the "Master of Breath" molded the first Indians out of clay, and when the soft material had hardened into flesh and bone, he brought his creatures out and gave them the surface of the earth for their dwelling-place. (Dr. D. G. Brinton, *The Myths of the New World*, 2d ed., p. 242.) The Minetaries, on the Upper Missouri, pointed out two hills as marking the spot of the tribe's origin. Either the exit from the earth had taken place near these hills, or, according to one authority, the hills were themselves the first man and first woman, who, after having emerged from the earth and become the parents of a numerous progeny, the ancestors of the present race of

men, were transformed into these shapes. (Jones, *Traditions of the North American Indians*, vol. iii., p. 187.) It was said by the old man of the Minnetari that formerly a pilgrimage to this spot had been peculiarly efficacious for barren women, although it was admitted that this virtue had disappeared in later degenerate times.

Side by side with these tales of an "earth-born" ancestry is another group of origin traditions, perhaps equally extensive, which represent the first men as having come, not out of the ground, but out of some body of water, a river, a spring, or a lake. The Caddos, Ionies, and Amaudakas believed that their original ancestors came out of the Hot Springs of Arkansas. (Schoolcraft, *Ind. Tribes*, v., p. 682.) One branch of the Omahas asserted that their founder arose out of the water, bearing in his hand an ear of red maize, for which reason the red maize was never used by them for food. (Long, *Exped. to the Rocky Mountains*, vol. i., p. 326.) In the country of the Blackfoots there are, according to De Smet, two lakes, known as the Lake of Men and the Lake of Women. Out of the former of these came the fathers and out of the latter the mothers of the Blackfoot tribe. (De Smet, *Oregon Missions*, p. 178.) These two accounts of man's origin, viz.: that he came out of the ground and that he came out of the water, have usually been regarded as distinct from one another in origin and meaning; but I shall attempt to show farther on that they are in fact identical—that they are both simply the imperfect or mutilated renderings of a fundamental myth into which a cave and a body of water enter as prominent and essential features. At this point it is sufficient to remark that the two accounts are frequently given by different authorities as current in the same tribe, and that we often find in the cave-legend itself a water feature introduced so awkwardly or with so little apparent reason that it can best be explained as a "survival" of a point in the story of which the true import has been forgotten. For example the Minsi branch of the Delawares believed that the cavern out of which their forefathers came was situated *under* a lake (Heckewelder, *loc. cit.*); the Mandans, on the Missouri, remembered that the orifice through which they had emerged from the ground was near the sea; and the Iroquois, according to Cussic's version of their tradition, after having escaped from the mountain in which they had been imprisoned, were led by their god, Tarenawagon, on an apparently aimless journey to the eastward as far as the sea and then back to the site of their origin.

Other legends, which I regard as presenting the story more nearly in its original form, give a still greater prominence to the water feature. According to an old tradition of the Choctaws, at the time when they were

brought forth from the cave in which they were created, the whole earth was submerged under the sea, so that their creator was obliged to build a wall of earth for their resting place, until the waters could be drawn off into seas and rivers. (D. G. Brinton, *op. cit.*) Very similar is the tradition of the Navajoes, of New Mexico. According to their tradition, as recorded by Dr. Ten Broeck, all mankind and all the animals once lived in a gloomy cavern in the heart of the Cerra Naztarny mountain, on the river San Juan. A lucky accident led them to suspect that the walls of their prison-house were quite thin, and the raccoon was set at work to dig a way out. As he did not succeed, the moth worm took his place and after a deal of hard work effected an opening. But when he reached the outside of the mountain, he found all things submerged under the sea, so he threw up a little mound of earth and sat down to ponder on the situation. Presently the waters receded in four great rivers and left in their place a mass of soft mud. Four winds arose and dried up the mud, and then the men and animals came up, occupying in their passage several days. As yet there was no sun, nor moon, nor stars; so the old men held a council and resolved to manufacture these luminaries. There were among them two flute-players, who, while they had dwelt within the mountain, had been wont to enliven them with their music; and when the sun and moon were finished, they were given into the charge of these musicians, who have been carrying them ever since. (Schoolcraft, *Ind. Tribes*, iv., pp. 89, 90.)

These are the main points of the Navajo legend, as recorded by Dr. Ten Broeck. It will be observed that the sea—which is nothing less than the primeval sea that forms so common a feature in cosmogonies—holds quite as prominent a place in the story as does the cavern itself, and the two might easily become separated in an incomplete version. Either the cave or the water might be dropped. In fact, there is another version of this tradition, given by Colonel J. H. Eaton, in which there is no mention of a cave. The Navajoes, according to Eaton's version of their story, came out of the earth in the middle of a certain lake in the valley of Montezuma, at some distance from their present location. (Schoolcraft, *Ind. Tribes*, iv., 218.)

Passing from the United States to Mexico, we come upon one of the best known and most often discussed portions of the American aboriginal history in the story of the so-called Aztec Migration. It is unnecessary to review here the historical theories which have been based upon this oft-repeated tradition, in which the early Spanish fathers were quick to discern either a distorted reminiscence of, or a diabolical parody upon, the wanderings of the children of Israel. The utter worthlessness of the

story as historical material becomes apparent the moment we give due prominence to the fact, upon which all authorities are agreed, that the name of the place from which the Aztecs set out on their wanderings, Chicomoztoc, means "Seven Caverns." The best commentary on the story of Chicomoztoc is found, as has been pointed out by Doctor Brinton, in the Central American legend of the Seven Caves of Tulan Zua, from which issued the four legendary founders of the Quiche tribe.*

Among the legends of the Peruvians our tradition under both its forms holds a prominent place. The natives of the valley of Xauca declared, according to Herrera, that they were descended from a man and a woman who came out of the spring of Guaribalia; those of the valley of Andabayla declared that their forefathers came out of Lake Soddococa; those of Cuzco, out of Lake Titicaca. In the neighborhood of Cuzco were two celebrated caves around which centered several legends of this sort. The cave of Chingana, which was just above the city and near the great temple of the Sun, was the site of a legend of Inca Rocca, who, according to the version of his story given by Montesinos, was hidden for a time in this cave by his artful mother and was then brought forth and shown to the people as their heaven-sent ruler. Some five leagues to the eastward of the city was the still more famous cave of Pacarin Tambo. This was a sanctuary of great repute during the Inca period, holding among the Peruvians a place analogous to that of the Delphic cave among the Greeks. In its vicinity was a sacred grove, about it were buildings reputed to be of great antiquity, and the whole locality was popularly believed to be exempt from pestilence and earthquakes. Out of this cave came, according to the most common accounts, the four brothers, whose story, variously told by the Spanish writers on Peru, forms the basis of the history of that country. Another legend declares that at the time of the flood, when the greater part of mankind was destroyed, six brothers took refuge in this sacred retreat, from which they emerged in the end to restore the human race. Still other legends connect with this cave the advent of Viracocha, the great culture-hero of Peru, to whose story we shall have occasion to recur on a subsequent page.

II

The question which occurs first, upon surveying this group of legends

* The elaborate legend of Chicomoztoc was but one of many forms which our "cave myth" seems to have assumed in Mexico, as elsewhere. F. Diego Duran, who left a manuscript work entitled *Historia Antigua de la Nueva España*, says that the Mexicans had no certain knowledge of their origin, some claiming to have proceeded from fountains and springs of water, others that they were natives of certain caves, others that they were created by the gods, etc. Short, *Ancient America*, p. 135.

so alike in their general tenor, is, are they historically connected with one another in the sense that they are the fragments of some primeval tale current among the Indians at a time when they were less widely scattered over the continent than at present, or have they sprung up at several centers independently of each other? This question is one of great interest to American ethnologists, but one to which, in the present state of our knowledge respecting the mode of growth and diffusion of popular tales, it would, perhaps, be rash to attempt an answer. It may be said, however, in favor of the former hypothesis that this account of man's origin—at least wherever the story is circumstantially related—is, so far as I have been able to discover, peculiar to America. It is true it has sometimes been classed with those Old World legends which represent man as of an *earthy* nature, either as having been fashioned out of clay by the hands of some Promethean potter, or as having sprung from a seed of stones or of dragon's teeth scattered over the soil, but a close inspection of any of its detailed versions will show that the story-teller has in mind a thought essentially different from those embodied in these classic legends. The first men, according to the Indians' account, did not spring up vegetable-like from the surface of the earth; they came *out* of its interior, in the human shape and often accompanied by the animals of the chase. Indeed, when closely scanned, the story is seen to be an account, not of man's origin, but simply of a change in the scene of his existence. Except in a few cases in which we are told that the original men were created by the gods before being brought above ground, we receive no hint as to how their life began. We are merely told that they came a long time ago out of a cave or out of a lake, within which, so far as we are informed, they had lived from the beginning. This is a characteristic feature which I have not met with distinctly portrayed in any legends outside of America.

But whether or not these tales have any true kinship with one another, it hardly admits of doubt that they have a common basis, either of fact or of logic, and that they may be regarded as practically, if not actually, different versions of a single original tale. What is this basis, and what is the meaning of the story? This question has often been asked, and has been answered variously. From a number of proposed "interpretations" I select two, which seem the most worthy of consideration, as well from their inherent plausibility, as from the names by which they are indorsed. Mr. Herbert Spencer, speaking, in a recent work, with express reference to the Navajo tradition, of which an outline has been given above, says: "Either the early progenitors of a tribe were dwellers in caves on the mountain; or the mountain marking most conspicuously the elevated region whence they

came is identified with the object whence they sprung." (Spencer—*Principles of Sociology*, vol. i., p. 393.) And again: "Where caves are used for interments, they become the supposed places of abode for the dead; and hence develops the notion of a subterranean other world." (Ibid. p. 219.)

Underlying the tradition of the Delawares and Iroquois, Heckewelder saw an admirable philosophical meaning—"a curious analogy between the general and the individual creation." This view has been adopted by Doctor D. G. Brinton, the eminent student of American folk-lore, who presents it as follows:

"Out of the Earth rises life, to it it returns. She it is who guards all germs, nourishes all beings. The Aztecs painted her as a woman with countless breasts; the Peruvians called her Mama Allpa, *mother Earth*; in the Algonkin tongue the words for earth, mother, father, are from the same root. *Homo, Adam, chamaigenes*, what do all these words mean but earth-born, the son of the soil, repeated in the poetic language of Attica in *anthropos*, he who springs up like a flower? As in Oriental legends the origin of man from the earth was veiled under the story that he was the progeny of some mountain fecundated by the embrace of Mithras or Jupiter, so the Indians often pointed to some height or some cavern, as the spot whence the first men issued, adult and armed from the womb of All-mother Earth. . . . This cavern, which thus dimly lingered in the memory of nations, occasionally expanded to a nether-world, imagined to underlie this of ours, and still inhabited by beings of our kind, who have never been lucky enough to discover its exit. . . . Such tales of an under-world are very frequent among the Indians, and are a very natural out-growth of the literal belief that the race is earth-born." (*The Myths of the New World*, 2d ed., pp. 238-245).

Between these two radically different interpretations of the tradition—the one that it is based upon an actual fact in the tribe's history, the other that it is the outgrowth of a bit of primitive philosophy—it would be hard to make a choice were there no other criterion than an *a priori* probability. I propose to inquire whether there is not some other criterion—whether there is not internal evidence to be obtained through an examination of various versions of the story itself which will conduct us to something better than a mere guess, however plausible, at its origin and true significance. What the true character of the story is, may not be in itself a question of much importance; but, if I mistake not, we have here an excellent field for the employment of that comparative method of study which has let in so much light upon the myths and legends of the old world—a field in which we may search profitably for some of the

laws which govern the growth of popular tales, and where we may obtain a glimpse of the process by which the world has been flooded with so much fable and so much error. We may be sure that none of these tales was first told in the precise shape in which it happened to be found. Like all popular tales they have a history; they have grown into shape through long telling, and by a comparative examination of them—assuming that they are at the bottom one and the same story—we shall be able to determine with some approach to certainty what details are original and essential and what are local and unimportant.

The legend is nearly always associated with some cavern, sometimes with an actual mountain cave, as that of Pacarin Tambo in Peru, sometimes with a hollow imagined to exist within the mountain, the entrance to which is no longer visible. Sometimes, as has been observed by Doctor Brinton, this cavern assumes the proportions of a nether-world. We will begin the examination with a case of this kind and see if we cannot obtain some clue to the original character of this imagined hollow in the earth. The following is the version given by Lewis and Clark of the tradition of the Mandans, on the Upper Mississippi:

"The whole nation resided in one large village underground near a subterraneous lake. A grape-vine extended its roots down to their habitation, and gave them a view of the light. Some of the most adventurous climbed up the vine, and were delighted with the sight of the earth, which they found covered with buffalo, and rich with every kind of fruits. Returning with the grapes they had gathered, their countrymen were so pleased with the taste of them, that the whole nation resolved to leave their dull residence for the charms of the upper region. Men, women, and children ascended by means of the vine; and when about half the nation had reached the surface of the earth, a corpulent woman, who was clambering up the vine, broke it with her weight and closed upon herself and the rest of the nation the light of the sun. . . . When the Mandans die, they expect to return to the original seats of their forefathers, the good reaching the ancient village by means of the lake, which the burden of the sins of the wicked will not enable them to cross."

The notion of an under-world as the abode of the dead, such as is presented in the above legend, is very common in mythology. It is suggested by Mr. Spencer, in the passage above cited, that it originated in the custom of using caves as places of interment of the dead. But however well this custom may account for the fact that the dead are supposed to descend to the lower world, there are certain strongly marked features about this region, as portrayed in mythology, which point clearly to a quite dif-

ferent source for its original conception. Man looks at the over-arching sky, which seems to touch the horizon on all sides, and prompted by an instinctive idea of symmetry, continues its curvature in imagination below and under the earth, until a corresponding vault is formed beneath his feet. The apparent revolution of the heavens at night confirms and gives definiteness to this idea. The world becomes, in his imagination, a gigantic sphere—in the Mundane Egg of the Hindoos, the Great Cocoon of the Polynesians. Hence it happens that the lower world is supposed to be of the same dimensions as the upper world. It would take, says Hesiod, an anvil nine days to fall from Heaven to Earth and an equal length of time to fall from Earth to the bottom of Tartarus. For the same reason those nations which have imagined the upper, visible half of the world to consist of several distinct heavens rising one above the other, have usually assigned the same number of divisions to the lower world. In the mythology of the Babylonians these heavens were seven in number, one for each of the seven planets; and in the lower world there were seven gates, through which the dead must pass, as is seen in the legend of the Descent of Ishtar. The Seven Heavens and Seven Hells of the Mohammedans still perpetuate this ancient physical conception of the universe. The Polynesians of the Hervey Islands imagined ten heavens of blue stone, and their divisions of the lower world were likewise ten in number. (Rev. W. W. Gill, *Myths and Songs from the South Pacific*, p. 2.) In the Greek mythology there was but a single Olympus, while the divisions of the lower world were three in number; but the fact that the Oceanus nine times encircles the earth, and that the Styx, which is simply a reflex of the Oceanus, passes nine times around the Elysian Fields, and that *nine* is the number of days required for an object to fall from heaven to earth, can hardly be without significance and possibly points to an ancient ninefold division of the world, which had disappeared in the classical period.

We might conjecture upon general grounds that the idea of an underworld found among the Mandans and many other American tribes sprang from the same sort of reasoning as has evidently given rise to it among other nations. Fortunately we have evidence that such is the case. Prince Maximilian of New Wied, who visited the Mandans subsequently to Lewis and Clark, and learned additional particulars respecting their belief in an underground origin, tells us that the Mandans, like so many other nations, supposed the world to be divided into stages or stories. These were eight in number; four of them were *above* the earth, and four *below*, the earth itself forming the fourth stage from the bottom. (Maximilian, *Travels in North America* (London Ed.), p. 366.) There seems, therefore, to be very little

room for doubt as to the original character of the cave of the Mandan legend. The forefathers of this tribe not merely came *out of* the earth, they actually came *through* the earth, conceived of as a thin, flat disk dividing the great cosmic sphere into two equal parts.

Among the Navajos we obtain equally satisfactory evidence touching the original of this legendary cave. Doctor Ten Broeck tells us that he often conversed with the Navajos on the subject of their beliefs, and he gives us, among other particulars, this very important item: "The old men say that the world (i. e., the earth) is, as it were, suspended; and that when the sun disappears in the evening, he passes under and lights up our former place of abode, until he again reappears at morning in the east." There can be no question as to the location and the real character of the cave into which the sun descends at evening, and from which at morning he comes forth. Under one disguise or another this cavern occurs in legends the world over. It is the cave into which the Polynesian Mani descends to visit his deserting mother, and into which Orpheus descends in search of Eurydice; it is the Latinian cave, in which Selene, the Moon, woos Endymion, the Setting Sun. Nor need we be disconcerted because the Navajos have located it within a particular mountain. One of the most rigid laws of folk-lore requires that a legend, even although more than half intelligible as a nature-myth, shall have assigned to it some suitable site, which can be pointed out in confirmation of it. On the island of Hayti occurs a still more glaring illustration of this law. In the same chapter in which Peter Martyr gives the Haytian tradition of the first men, above cited, is recorded a parallel tradition that originally the Sun and the Moon came out of a certain cave on the island. This cave, known as Joanaboina, was fitted up as a temple, and was adorned with many images, two of which, larger than the rest, were probably intended to represent the Sun and the Moon. To the Spaniards, this tradition must have seemed even more puerile than that of the origin of mankind; but, stripped of a very thin disguise, it is simply an account, perfectly true from the point of view of a barbarian, of what may be seen daily or nightly taking place.

Legends which contain so distinct and so intelligible references to an under-world can hardly have grown by a process of expansion either from a vague belief that man is a child of the soil, that he is "earth-born," or from the practice of cave burials. On the contrary, we may feel certain that they are the more perfectly preserved forms of the tale we are pursuing, and that its growth, so far, at least, as the cave is concerned, has been one of *contraction*, if the expression may be allowed, rather than of *expansion*. The omission of one or two particulars from the Navajo or the

Mandan legend would leave the under-world, to which they plainly refer, simply a mountain cavern, and we might seek in vain to guess the import of the story. That this curtailment actually has been made in the greater number of instances, may reasonably be conjectured.

We have already proceeded far enough to suspect that we are dealing with a tradition based, not upon philosophy nor upon actual history, but upon mythology. After having seen that the cavern which dimly lingered in the memory of the Indians was, in fact, an imagined under-world, we need not be surprised if the first men of whom they tell prove, upon a closer acquaintance, to be, not their flesh-and-blood ancestors, but their ancestral gods. As the story of gods, the legend has a meaning, whereas, when told of men, it is sheer nonsense. Not only is it true, from the point of view of primitive man, that certain of the gods, particularly Sun and Moon, come out of a cavern—that of the under-world—but we have seen that in Hayti the fact has actually assumed the form of a tradition. The clue is worth following up. Is it not possible that these curious legends, that have so perplexed American antiquaries, are simply stories of the sunrise—instances of that metamorphosis of mythologic tales which has given so much legendary history to the old world? Before searching farther for evidence upon this point, we will look a moment at the sunrise from an ancient and barbarian standpoint, to ascertain what traces it would be likely to leave in legend.

In primitive geography the earth is surrounded by water. Whatever may be the ground of this belief, it has prevailed very generally among the natives of both hemispheres. Sometimes this world-sea appears as a limitless and profound abyss of waters, on which the earth floats, and out of which it was brought up in the morning of time by the Boar, as said the Hindoos; by the Muskrat, according to the Algonkins, or, according to the Polynesian story, by the fish-hook of Mani. But more often it seems to have been regarded as a sort of river encircling the lands, as the Oceanus of the Greeks; while, in the more elaborate geography of the Hindoos, there were seven concentric seas or rivers, consisting of seven different fluids.

The world-sea, as well as the cave of the under-world, was an important element in the primitive conception of the sunrise and sunset. Out of this sea the sun arose every morning, and into it he returned at evening. On its waters he floated during the night in a cup or barge, or he swam in them like a fish. Another theory of the sun's movement, after his disappearance below the western horizon, was that he entered the lower world and during the night passed under the earth, to emerge again in the morn-

ing on its eastern side. In this case he must cross the river in going to or coming from the entrance to the lower world.

When the story of the sun's rising and setting became confused and entered upon its mythological career, the world-sea contracted its dimensions and became simply a lake or a river in the lower world. It is the Wai-Oro-Tane of the Polynesian mythology, the Water of Life, in which the old Sun nightly bathes to recover his youth; it is the hateful Stygian wave of the Greeks, the Lake Avernus of the Romans. We have seen that there was said to be a lake in the Mandan under-world; so, too, the Navajos, who likewise thought that they would return after death to the cave of their forefathers, told of a marsh which they must cross in order to reach its entrance.

This conception of the sun's rising from a sea, as well as from an under-world, furnishes the connecting link between our cave legend and the equally prevalent tradition that the first man or first men came out of the water. Attention has already been directed to the fact that in many versions of the story the cave is found associated in various ways with a body of water, a connection which we are now in a position to understand. The Aztecs related that their ancestors, after emerging from the seven caves of Chicomoztoc, crossed an arm of the sea, using for boats the trunks of cypress trees. Place for Chicomoztoc the under-world, and understand by the sea the world-sea, and the story becomes intelligible. So, too, we can now readily interpret what must have seemed to Heckewelder a profound mystery, the statement of the Minsis, that the cave out of which they came was under a lake.

Through obscure reminiscences, such as these, preserved here and there, we can catch occasional glimpses of the great cosmic tale of the rising sun. In the mythology of Peru, however, we may find the most distinct traces of its gradual transformation into a legend.

The Peruvian Viracocha is one of those personages who form a connecting link between mythology and traditional history. He appears in legend under a double aspect. On the one hand he is the highest of the Peruvian gods, the creator and preserver of all things—a deity to whom, indeed, no temples were erected nor sacrifices offered; yet who was revered as the supreme and invisible God, higher than the Sun, and whose title Pachacamac, world-sustainer, was too sacred to be uttered except in an attitude of deep humility. On the other hand he appears in legend, in a completely anthropomorphized shape, as a culture-hero, one of those personages of whom all nations tell, who first introduced among men the rudiments of the arts and the usages of religion, and taught them whatever else was

essential to their well-being. It has already been said that the advent of Viracocha was sometimes connected with the cave of Pacarin Tambo. More often, however, he is said to have come out of Lake Titicaca. There are several versions of his story, differing in details, but agreeing as to the main fact that he arose in the first place from the waters of the lake. The vicinity of the lake was the scene of his first exploits. Here he assembled the brute-like inhabitants of the country—or perhaps he created them—and formed them into an organized society and gave them laws and customs. He erected, too, those massive temples whose ruined walls are still seen on the shores and islands of the lake. Thence he journeyed northward with his people, and having founded the city of Cuzco, established there the rule of the Incas; and finally, when his work was done, he descended the slopes of the mountains and spreading his mantle disappeared over the western ocean.

Viracocha is described as a white man. The name is said to mean "the fat or foam of the sea." The idea conveyed, says Doctor Brinton, is that of whiteness, foam being called fat from its color. In this account of the first appearance of Viracocha, Doctor Brinton sees an "allegory of the morning light flinging its beams like snow-white foam athwart the waves of Lake Titicaca." (*Op. cit.*, p. 243.) According to his interpretation of the myth, Viracocha is the Spirit of Light, met with again in the Algonkin myth of Michabo, the Great White-one, and in those of Quetzalcoatl, of Bochica, and of other American culture-heroes.

But whether we accept this interpretation, or look upon Viracocha rather as the Sun itself, the source of light, we may suspect that none of the legends has retained the myth quite in its original form, and that the true Viracocha came, not out of Lake Titicaca, but out of the imaginary world-sea. What else are this mysterious arrival and disappearance of the Peruvian deity than those daily recurring phenomena to which the Greek bard refers, when he speaks of the sun as coming from, or as descending toward, the waters of Oceanus? To be sure, the story was localized at Lake Titicaca, just as in the Navajo tale the cavern is placed within the Cerra Naztarny mountain, and for the same reason. When once the true character of Viracocha had been forgotten, yet it was remembered that he had arisen from the sea, there was no more fitting site for the legend than this actual lake. So, too, the ancient Babylonians pointed to the Persian Gulf as the sea out of which came Oannes, the man-fish who brought them their civilization. Every morning, said the Babylonian legend, this beneficent being came up out of the sea, and, after passing the day among men, returned into it when the sun set. It is an old story, which can be paralleled again and again in the folk-lore of the nations.

A portion of the story of Viracocha was transferred to the history of Manco Capac, the reputed founder of the family of the Incas. Accompanied by Mama Oella, his sister and wife, and claiming to be a child of the Sun, Manco Capac made his first appearance, like Viracocha, on the shores of Lake Titicaca. He found mankind in the lowest depths of savagery. He taught them how to clothe themselves, and to build houses, and to worship the Sun. Finally, directed by an omen, he chose the site for a city, which he called Cuzco, and established his authority there, as the first Inca.

It is quite possible that Manco Capac was a real person. But in this case his true history has evidently been lost, and, as has often happened elsewhere, its place has been supplied from the resources of mythology. The story of the sun-god has become inwoven with actual history; and when, therefore, we are told by Herrera, in a brief passage, that the inhabitants of Cuzco claimed to have come originally out of Lake Titicaca, can we doubt that this tradition is simply the story of Viracocha-Manco-Capac in its last stage of detrition?

In Peru, then, we gain a tolerably clear insight into the history of our tradition, or at least of one form of it. If in other parts of America we cannot trace its growth so distinctly, we may plead the defectiveness of the record. Under the most favorable circumstances, where a people has possessed a literature, the recorded portion of its folk-lore is never more than a small segment of the mass of legends which pervade the country under countless local forms. Much more is this true of the American legends, for a knowledge of which we are indebted entirely to the occasional reports of travelers and missionaries, who have, no doubt, often failed to catch their spirit and have sometimes colored them unintentionally with their own ideas, or have dropped from them, as unimportant, the very details most significant of their true character. To expect with such fragmentary materials to construct an unbroken chain of evidence connecting a given legend with an original nature-myth, as has been done in repeated instances in the field of Aryan folk-lore, is of course idle. We may be satisfied if we can obtain a few unmistakable indications that the evolution of folk-lore has taken the same course among the natives of America as among the Aryans of the old world, and if with a knowledge of the sort of evidence for which we are to look, we can clear away some of the obscurity which envelops the American traditions.

It remains to add a few words concerning the process by which, or rather the medium through which, this apparently violent transmutation of a solar phenomenon into an absurd legend has been effected. Travelers

who have recorded the traditions of barbarous tribes have not usually thought it necessary to give us their authority, nor to say, even if they knew, in what form a given tradition has been preserved. But occasionally the narrator has spoken of the *songs* of the tribe, which contain their mythic and legendary tales. Herrera, Acosta, and other Spanish writers on America refer frequently to the songs of the natives of Hayti, Mexico, and Peru, which were sung or chanted, as an accompaniment to the dance, at their periodical religious festivals. In recent times, since folk-lore has come to be looked upon as a subject worthy of careful study, attention has been directed more particularly to this important fact, and collections of such barbarian songs have been made. It is now certain that among many tribes, and it is probable that among all tribes, the authority for their traditional history as well as for their mythology is their ancestral songs, or poems, to give them a dignified title, as was the case in ancient Greece and Rome. This fact not only accounts for what is else the almost inexplicable persistence of tradition, but it also furnishes the clew to that confusion, which has everywhere taken place, of mythological with actual events. The rhythmical phrases of which the song or chant is composed may endure unaltered for a long time, especially where the keeping of the songs is the care of a regular priesthood or of a guild of professional bards. They may, indeed, endure so long as finally to become unintelligible. In the time of Varro, the Romans no longer understood fully the hymns of the Salic priests. The Aztecs are said to have chanted around the pyramid of Cholula songs containing phrases of an import unknown to themselves, and the songs sung at the festivals of the Tamanacs, on the Orinoco, were unintelligible to the people. (Adelung, *Mithradates* iii. 3, p. 90, and iii. 2, p. 655).

Since mythology and tradition rest at every stage of their growth upon authority of this uncertain character, it is not surprising that confusion and mistakes arise. There is a continual call for commentary. Points which are not understood must be interpreted, and things incredible must be explained away. Ambiguous phrases, taken in a wrong sense, may change entirely the character of a story. As its growth goes on it becomes more and more human in its proportions and aspect. The god becomes a demi-god; then an ancient king or hero. The history of the hymn or chant from its earliest form of an invocation to some object in nature, through its more highly developed form of a song of praise to some deity, becoming at length completely anthropomorphized—to Apollo or Viracocha—down to its final transformation into the ballad and epic poem, is the history of mythology and legend. In the field of Aryan mythology this develop-

ment, starting with those hymns of which the Vedas afford us specimens, may be distinctly traced; and we may be confident that had we as complete a collection of the songs of barbarian tribes as we have of the poems of the Aryan nations, we should be able to trace the same transformation going on there. Let us suppose, to illustrate the case before us, that an ancient Peruvian chant addressed to the rising Sun, under the name of Viracocha, contained a phrase which may be translated, "He cometh up from the sea, or from the great hollow." There is abundant warrant for assuming the use of such a phrase. The ancient hymn to the nature-god was made up of such expressions, describing his movement, his appearance, and the blessings he brought to men. Now, let it be borne in mind that this phrase may be ambiguous in regard to *tense*; for those modifications of the verb which distinguish nicely the time of an action belong only to the more highly developed languages, and are wanting or neglected in barbarian speech. Even the Hebrew, a language of literature, is so deficient in this respect that oftentimes it is impossible to determine, except by the context, whether a given expression is descriptive, historical or prophetic, in its import. If, now, a chant or hymn such as we have supposed were to be preserved and sung at religious festivals until a time when Viracocha was no longer distinctly identified with the Sun, but had become a personal deity, the ambiguous phrase will most naturally be taken in an historical sense and will be understood as meaning, "He, Viracocha, *came* out of the sea." Here we have already a tradition, due simply to a misinterpretation of an old song; there has been no intentional invention or deception on the part of any one; language alone is responsible. And when once the story has been started that the great and beneficent Viracocha came out of the sea—or out of some cavern—men will not be long in discovering the precise spot where the event took place.

Geo. P. Jones

ELIZABETH

ENGLAND'S SOVEREIGN FROM 1558 TO 1603

Every generation of the English-speaking race since her time has had its season of romantic interest in Queen Elizabeth's life and character. The bigotry, prejudice, and hostility with which she was environed intensified the peculiarities and contradictions of her nature and influence, thus no figure in the history of English politics stands out in more unique and indelible colors. Her intimate association with the beginnings of American history in the sending out of expeditions to Virginia, and the naming of this great commonwealth, has fanned the blaze of glory which surrounded her diadem into as radiant a light on this side of the Atlantic as on the other. In the educating process every child in our schools learns more or less of the greatest queen in the world's annals, and can, even at an early age, glibly recite the chief events of her forty-five years' reign. The "Elizabethan Age"—with its brilliant statesmen, soldiers, intellectual personages, and rising institutions—is invested with an indescribable fascination for the young student, and the period justly holds a place in universal history that in many of its important features has never been surpassed. Elizabeth herself, through the loftiness of her position, has undoubtedly received more credit for this than she deserved. But the lessons to be drawn from her remarkable career are none the less valuable. The ability to govern a kingdom may have been her inheritance, yet the skill and good sense to do it successfully and acceptably for nearly half a century must be traced to other sources than mere natural gifts.

When the tall, graceful, handsome, self-reliant, and self-poised young woman of twenty-five was crowned queen of the realm by an adoring people, she was new to the cares of empire. She had hitherto lived in seclusion, forecasting perils and misfortunes only in her future. But with untiring industry through all those dark years of her childhood and youth she had been acquiring an education that was to prove an element of unflinching strength in her ascent to the highest pinnacle of worldly prosperity. The nation, surprised and delighted with the discovery that she was a scholar of rare attainments, fell madly in love with her, again and again. She was versed in the Latin, French, Italian, Spanish, and Flemish languages, "understood more Greek than any four men in England, either in Church or state," could speak the Holland Dutch indifferently, was accomplished

in music to some extent, and had written poetry that was pronounced "very good for a princess"—whatever that may signify. History had been her favorite and persistent study from childhood, and in this she excelled. She was keenly alive to all the follies and mistakes of her ancestors, and being equipped with a knowledge of regnal science was enabled to avoid the shoals and quicksands on which the barks of so many former princes had been wrecked. It is a wonder that her head was not turned with the homage paid her; but her well-stored mind was intent on matters of high import. Her studies had broadened and balanced her perceptions. Idleness she regarded with contempt. She worked hard all her life, and ruled her household with rigid economy. She was conscious of her powers, and also was shrewd and far-seeing enough to court without intermission the popularity of the multitude by every art that genius could devise. She was on the alert to make the holidays of her subjects merry days. She encouraged learning and the drama. She bestowed unexpected courtesies every now and then upon the literary characters of the day, which no English monarch had heretofore done. Even her fantastic dress was quite as much a matter of policy as vanity, for the notion that pomp and power were inseparable then prevailed in all countries. It was supposed that the eye must be dazzled with the one before the other would be recognized.

Six years after her coronation, in the summer of 1564, Elizabeth paid a visit to the University of Cambridge. She was there received with great ceremony. When she reached the entrance to Queen's College, where Sir William Cecil and the doctors were in waiting, her lords and ladies alighted, but she remained sitting on her horse. "She was dressed," we are told, "in a gown of black velvet, pinked [cut velvet], and had a caul upon her head set with pearls and precious stones, and a hat that was spangled with gold, and a bush of feathers." After much kneeling on the part of her hosts, and a Latin oration that occupied half an hour, Her Majesty descended from her saddle, and was lodged in King's College, the best apartments being assigned to her use. The following day was the Sabbath, and she attended divine service in the college chapel, entering under a canopy carried over her head by four doctors of divinity. The sermon was in Latin, in the midst of which she sent one of her lords to tell the preacher to put on his cap, which he did, and wore it to the end. Before he could leave the pulpit she sent him another message to say "that it was the first sermon she had ever heard in Latin, and she thought she should never hear a better." On Monday she attended the disputations in St. Mary's Church. No scholars were present but such as had taken at least one degree, and all were very uncomfortable about their clothes, for

it was known that the queen's eyes had been roaming over the congregation during sermon time the day before, and that she had severely criticised sundry soiled hoods and gowns, and expressed displeasure because some of the doctors' hoods were lined with white silk and others with miniver.

The question before the doctors on this occasion was whether "Monarchy were better than a republic?" and as they spoke in low voices Elizabeth left her seat and came to the edge of the stage just over their heads and listened attentively. The doctor who was to decide the disputation asked her permission, and she responded with much humor in Latin. She also chatted gayly in the same classic language with several of the learned doctors as she rode through the street on her return to her lodging. On the day prior to her departure from Cambridge, at the conclusion of a disputation in St. Mary's Church, being urged to "say somewhat in Latin," she rose in her grandest style and made a speech of considerable length in Latin which marvellously astonished her auditors, who at its conclusion shouted themselves hoarse.

In 1566 Elizabeth visited the University of Oxford, and one of the imposing ceremonies attending the reception given her was an oration in Greek, "to which she made suitable reply in the same language." Disputations both in physics and divinity were held next day in the church from two o'clock until seven, the queen sitting through to the close. Dr. Westphaling, the last orator, spoke so long that Elizabeth, who intended to make a learned speech herself, sent a message for him to close his discourse without delay. He paid no heed to the royal mandate, and held forth still another half hour. The queen was obliged to postpone her own speech till the following morning, much to her annoyance. She sent one of her lords with a tart message to Dr. Westphaling demanding an explanation of his extraordinary disobedience to her commands. He replied with great humility that having committed his discourse to memory he found it impossible to omit any part in order to shorten it, lest he should put himself so entirely out of cue as to forget all the rest, and so be brought to shame before the University and Court. Elizabeth laughed heartily at the poor doctor's predicament, and said she could do better than that herself. The next day she delivered her oration before the whole University with great *éclat*, and took occasion in the midst of it to interrupt herself and order one of her attendants to bring a stool for Cecil, her Secretary of State, whom she observed standing on his lame foot, and when after some little delay he was comfortably seated, she proceeded with her discourse as fluently as before. This was supposed to have been her method of reproof, or perhaps a stroke

of private revenge for the discourtesy so recently received from Dr. Westphaling.

Many years later Elizabeth gave a brilliant example of her learning and eloquence by scolding extemporaneously in Latin, in reply to the diplomatic insolence of Paulus Jaline, the handsome and audacious ambassador of the King of Poland. This gentleman was ushered into the queen's presence, attired in a long robe of black velvet, well buttoned and jeweled, and advanced to where she sat under her canopy of state surrounded by her nobles and courtiers, and kissing her hand, and performing all the ceremonials proper on the occasion, retired about three yards and began an oration in Latin, that was quickly discovered to be a bold remonstrance against Elizabeth's assumption of maritime superiority over other nations, and a covert threat from the new Polish king in case of her Majesty's failure to redress certain losses to Polish merchants occasioned by her foreign policy. The affront roused the queen to such a degree that she started from her chair of state, and preventing the Lord Chancellor, who had risen to reply, she overwhelmed the astonished diplomatist with such a vivacious vituperation in extempore Latin as perhaps was never before expressed in that language.

Circumstances rather than choice threw Elizabeth originally on the side of the Reformation. She had no profound concern for serious things. She resented the necessity of being the patron of "heretics," in whose objects and theology she had no interest, yet submitted to it, and her vacillations are explained by the reluctance with which each successive step was taken. She represented herself to foreign ambassadors as a Catholic in everything; except in allegiance to the Papacy. She made no concealment of her distaste for Protestantism, declined fellowship either with Scots, Dutch, or Huguenots, and affected no particular respect for the Church of England of which she was supreme governor. She left the Catholics in her household so unrestrained that they absented themselves at pleasure from the Royal Chapel, without a question being asked; and allowed country gentlemen all possible latitude in their own homes. But as rulers are credited usually with all the evils that happen while they are at the helm of power, they have the right in equity to the honor of the good. The greatest achievement in English history, the "breaking of the bonds of Rome," and the establishment of spiritual independence, was completed without bloodshed under Elizabeth's auspices, and Elizabeth must ever have the glory of the work.

There was scarcely a day in which Elizabeth did not devote some portion of her time to reading history. It was a study of which she never

tired. In winter she transacted business with her Secretaries of State every morning before daylight, caused the orders in council, proclamations, and important papers relative to public affairs to be read to her, giving orders and making notes. Her breakfast was a simple meal. She ate very little at any time, and in her declining life became still more abstemious. Wine she rarely used, fearful it would cloud her faculties. During the morning hours she uniformly discussed intellectual topics with the most learned gentlemen of her court. The accomplished Sir Henry Savill, for instance, read Greek to her, and for a long time kept her supplied with political information. In the evening she was accustomed to unbend, sought diversion in music and song, and in pleasant conversation and story-telling.

Elizabeth possessed the costumes of all the civilized countries of the world, to which was added every species of invention that the age could produce in the way of fashion. Some of her wardrobe memorandums are very amusing as well as curious. She had, for at least one decade, eighty wigs from which to choose when she wished to produce unusual effects. In the spring of 1580 she became uneasy about the growing inclination of her subjects to emulate the height and amplitude of the royal ruff, the characteristic feature of her costume, and by an act of Parliament officials were placed at corners of the streets, armed with shears, for the purpose of clipping all ruffs that exceeded the size prescribed by this droll statute. The singular fancies of Elizabeth concerning her dress are exhibited in her portraits, some of which are almost barbaric in their general appearance. She had so little knowledge of art that she was best pleased when her features were painted without light and shade. Her robe in the celebrated picture in the Cecil collection is covered with eyes and ears, to signify her musical qualities and her power of obtaining intelligence; and to indicate her wisdom, a serpent is coiled upon her sleeve. A quaint portrait in the Hampton Court collection represents her in a loose robe, formed of the eyes of peacocks' feathers. Her miniatures are rare, and in much better taste than her portraits in oil.

THE DISCOVERY OF LAKE SUPERIOR

A STUDY FROM THE JESUITS' JOURNALS

Two hundred and fifty years ago, when British and Dutch settlements existed as a mere fringe along the Atlantic coast of America, the French were establishing a realm, which, from its capital at Quebec, was designed to reach along the St. Lawrence, the Ohio and the Mississippi river valleys, to the Mexican Gulf, and out to the Pacific Ocean. It had been early recognized that the Protestant British possessed and could not be expelled from the regions east of the Alleghany Mountains, but, for all that was west and north of them, the French kings and the French priests were prepared to fight to the very last with weapons carnal and arguments spiritual. Among the many grand ideas which have attached themselves to this our continent, few have more interest to the politician, theologian, historian, poet or romancist than this, of building up a New France in its interior—its motto that of the French Canadians of to-day, "*Notre langue, notre religion, et nos lois.*"

Times were those indeed of strong convictions, when heroic efforts and great sacrifices of personal means and comfort were gladly made to carry out such convictions. The European Reformation had stirred up national antipathies, and the wars consequent upon it had scarcely terminated. The era of Oceanic discovery had been followed by a struggle among all the maritime nations for the possession of the new worlds, which had not yet ended. And one cannot quite dissociate the energy of the Jesuits in carrying the Cross from Canada into the hamlets of the most distant interior Indian tribes from a desire to appropriate for France all their territorial discoveries. The ecclesiastical side was, however, officered at least as brilliantly and served with even greater devotion than the political. Obedience to their Superiors' commands was the cardinal virtue of the members of the Society of Jesus; "*ad maiorem Dei gloriam*" their motto, abnegation of self their constant endeavor; faith in dogma their settled purpose; and we find their energies, pent up in many ways, bursting forth in travels for discovery, in endeavors to Christianize the most unpromising fields, in unremitting labor and voluntary exile from civilization, in which, the more intense the suffering, the more it was welcome; whilst martyrdom and death were hoped for as supreme gain and the highest reward. Their journals—published in France, "*avec privilège du Roi*"—partake

somewhat of the nature of Emigration literature, and thus have a secular side; they detail the extent of their travels, the riches of the countries in furs and forests; but the main object of their annual printing was to proclaim the fact that the harvest of souls was plentiful and the laborers few, that the field of spiritual work was well-nigh fallow, that the Devil had possession, and worse devils in the shape of heretics and aliens would perpetuate his rule, unless true believers entered forthwith into the war. Beyond these political and social objects we can also discern without a doubt the writers' earnest wish themselves to do nobly if they lived humbly, and to attain eternal happiness if they suffered terrestrial misery.

The water-ways were then the sole means of inter-communication, the avenues for all trade, the strategical lines for all campaigns. "Rivers," says Father Albanel in 1672, "are to the savages what their farms are to the French, the source from which they derive their whole subsistence, whether by hunting, fishing or trading." At the mouths of the rivers, therefore, the soldiers both of Church and State after many struggles fixed their quarters; at the mouth of the St. Lawrence, Quebec; at that of the Saguenay, Tadousac; to control the St. Maurice there was Three Rivers, and to dominate the Ottawa, Montreal. To Quebec, as the chief trading post, came annually fleets of hundreds of canoes laden principally with furs, to see the pale faces, to wonder at European civilization, and to obtain such articles as would advantageously replace their primitive utensils or enable them successfully to war against their enemies. For, while hunting was the Indian's daily labor, excellence in which was honorable, war was ever his master passion. Some tribes were comparatively peaceful, but the noblest savages were as ready as the noblest Europeans to cry "Havoc" and fly at each others' throats.

The lordly Iroquois were the Normans of America, the Vikings among the red men. Their chief village was on the head-waters of the Hudson; others were on Oneida, Seneca and Cayuga lakes; another behind Rochester, on the Genesee. Then, as ever since, New York was the Empire State. What a vantage ground the position gave! They had the trough of Lakes George and Champlain and of the River Richelieu for a route to Three Rivers or Montreal, and by the Black River they had easy access to Lake Ontario. They thought they had by virtue of this position the right to control the trade of all the Western Indians with Quebec, and saw with envy and anger the Hurons trading with the French by the Ottawa route and the Jesuits establishing a mission in the Huron country. Never very numerous, their energy was marvelous. They burned the French mission houses and extirpated the Hurons on the Georgian Bay, driving poor

relics of them to the end of Lake Superior on the one hand and to the shelter of the walls of Quebec on the other. Some of the Nipissing tribes, allies of the Hurons, had to flee to Lake Nipigon. Father Lemoyne writes in 1658 that while one Iroquois expedition had left in mid-winter for River du Loup, on the St. Lawrence, to surprise the Montagnais and some Algonquins, another had gone to chastise the Ottawas, on the other side of the Sault Ste Marie. The Isle au Massacre on Bic Harbor, almost opposite the Saguenay, and another island in Rice Lake, north of Lake Ontario, each saw the expiring gasp of many cowering victims of their rage; fire in the former and starvation in the latter case being the dread means of their vengeance. Father Albanel, on his way to Hudson's Bay, *via* the Saguenay, in 1672, found the ruins of trading dépôts which were forsaken through fear of their terrible raids, and, on the shores of that bay itself, addressed the local chiefs and claimed for the French the credit of having procured, by subjugating the Iroquois, peace even for them! Before that, however, this "cursed nation," as the Jesuits called them, resolutely forbade the "black robes" to attempt the conversion of the Abenakis and Naraghanses of New England, the Nadouechiouec and Tobacco Indians of Ohio and Indiana, the Poulacs and Kilistinons around the Hudson's Bay, even the peoples of Lake St. John and the north shore of the St. Lawrence gulf. They enforced, too, neglect of the remnants of the Huron church, dispersed among the Sonnotoueronnonns (south-west of Lake Superior) not to speak of the Upper Iroquois, "who would task the labors of several priests, if the home Iroquois were reduced to their duty."

The first attempt to reach these western tribes was made in 1656. A fleet of three hundred Algonquin canoes came down to trade, and two Jesuit Fathers set out with them on their return. One was forced to give up the attempt; the other, Father Garreau, was killed by the Iroquois who lurked on the line of travel. Four years later, sixty canoes came down, and two other Fathers renewed the effort. One was left at Montreal, owing to the caprice of an Indian who would not let him stay in his canoe. The other, Father René Menard, was more fortunate, in that he was allowed to proceed. "But," writes the journalist, "we do not know but an accident like that of Father Garreau's will happen him, for we hear that a hundred Iroquois are lying in wait for the expedition just beyond Montreal, who may fall upon it in some narrow pass, or perhaps in some rapid, where it is enough to have to struggle against rocks and currents, without having to encounter enemies."

"The rich harvest," exclaims the same writer, "must, however, be purchased at the cost of labor, of tears, nay, of blood. One destined to the

glorious work must resolve to live in utter want, suffer all the hardships of climate without shelter, endure a thousand scoffs and many blows from the heathen savages whom demons sometimes incite. He must spend days in the water, or upon the snow, destitute of fire. For months he must subsist upon boiled raw-hide, or the lichens which grow on the rocks. He must work without ceasing, and, as if he had a body of iron, he must live without nourishment, rest without a couch, sleep little, walk far, and all the while be prepared to receive a blow from the fatal tomahawk at the whim of some medicine man or discontented brave. With barbarians one must be a barbarian—say with the Apostle, *Græcis ac barbaris debitor sum*, and cease to live as a man that they may learn to live as Christians."

Father Menard was himself aware of the danger; this is how he writes to a favorite associate, a letter which explains the man and his task better than pages from a later pen.

"Three Rivers, Aug. 27th, 1660; 2 a. m.

Reverend Father, *Pax Christi*:

I am probably writing to you my last word—which I hope may be the everlasting seal of our friendship. May your affections, good Father, be of service to me, through the blessed results of your holy intercession. In three or four months, you must surely place me on the list of the dead you remember and pray for—in view of the manner in which these people live, of my age, and of my weak constitution. Notwithstanding this, I have felt such a strong call, such a supernatural bidding, that, without doubt, failure to seize this opportunity would cause eternal remorse. We were taken somewhat unawares, and could not provide clothing or other supplies, but He who feeds the fowls of the air and clothes the lilies of the field will care for His servants—and death from our sufferings would be hailed as joy. I am overwhelmed with business and can only commend our journey to you for prayer, and embrace you as heartily as I hope to do in eternity."

Let us, on the other hand, try to enter into the feelings of the Red men. The whites appeared to them "strangely ugly, with hair about the mouth as well as on the head—which the Indians have not." All the tribes complained that from the time the French came to trade with them they began to die off. They would sometimes fumigate their heads to avoid infection; at others they would accuse the whites of poisoning them and selling them unwholesome provisions (1611). The orphans were sadly numerous, for after the Indians began to use wine and spirits they died in great numbers (1634). "Not so," said a chief in 1636; "it is not your

drink which kills us, but your writings; for since you have described our country, our rivers, land, and forests, we are all dying. This was not so before you came." A Huron convert told the Jesuits in 1639, as the general opinion of his nation, that all they were doing was a blind to cover their malevolence, that they were really aiming at the ruin of the country and the death of its people. "You will see," was the remark of one of this convert's relatives, to whom he spoke of the good works of the missionaries—"You will see your children die before your very eyes; you yourself will speedily follow; and if we listen to them, we shall go through the same gate." "Whether it is the work of the devil or the Providence of God," adds the annalist, "we dare not say, but of five children there were in family, but one remains. Soon after that speech, one was carried off by fever; another has been ill for months and cannot live; the eldest, who was one of our pupils, a lad of fourteen, died very suddenly; an adopted daughter has a dangerous cough; the youngest boy is dying too, while the Lord has seen fit to afflict the wife also, who after losing her four children, herself died of small-pox in our hospital. Truly the poor man may say *Probasti me et cognovisti me!*" Father Paul le Jeune writes of one outbreak of disease: "François Xavier, formerly Nenash Koumat, was first attacked and taken to the hospital. Next Noel Negabamat, and as I was sending him to Quebec in a canoe, to be placed with other sick people, I was told that Fr. Xavier wished to see me, and I must be quick if I wanted to find him alive. The same day four Indian families arrived at Sillery, intending to settle and join our flock. The ways of the Lord are strange; He giveth and He taketh away; He buildeth up and He destroyeth. He is master, and what he willeth he doeth, blessed be his name forever. But what a strange part I had to play—for while I had been striving to make of the savages a sedentary people, I now had to drive them away! 'Go, my dear friends,' I cried, 'but no further than you can let us hear from you.' I cannot describe the emotions of my soul, but I know it is not the Lord's will that the heart of man should be fixed on anything here. Thus having banished these poor afflicted sheep, Father Vincent, a young Indian and I placed the sick man in a canoe and carried him to the Home of Charity and Pity. Then I went to the bed-side of Fr. Xavier, and seeing him in a pitiable condition, I covered my face with my handkerchief and bent my head on his pillow unable to speak a word." Father Menard himself wrote in 1657, when he was laboring among the Iroquois, "The hostility to our Faith and to our persons which the Hurons had transmitted to these aborigines—persuading them that we carried with us disease and misfortune to every country we approached—caused our

reception to be cool and the presents to be spurned which we offered as a help to the introducing of our religion."

Nothing was heard of Menard for a year after his leaving for Lake Superior, but late in 1661 a canoe reached Quebec, captained by the son of an Indian with whom he had been living, who reported him in good health, while the letters he brought announced the discovery of a number of populous tribes. "Send help," was the urgent cry, "to save both bodies and souls." Destroy the Iroquois, and you will firmly plant the Faith along two thousand miles of country!

But, alas, for disappointed hope and for trust misplaced! Death was following the Father with that swift foot which not only steals into palace and hovel alike, but leaves its imprints by the wigwam and the portage also. "We shall see," writes the annalist of 1663, "a poor missionary, worn out with the apostolic work in which he had grown gray, laden with years and infirmities, expiring in the wild woods alone, a prey to wild beasts, hunger, and every wretchedness. The Lord brought us yesterday thirty-four canoes of Ottawas, with whom were seven Frenchmen, out of nine who left with them; the other two being Father René Menard and his faithful companion, John Guérin, who have trodden that other path which leads more quickly to the safe haven of our common country."

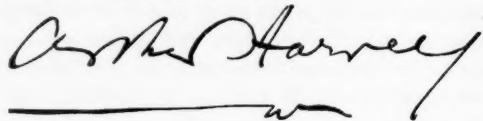
The poor Father and his eight French comrades, leaving on the 28th of August, 1660, with the Ottawas, reached their country on the 15th October,* after untold hardships; ill-treatment from their fellow travelers, and such extreme want of food that the Father could scarcely walk; but, "as one can go a long way even when very tired," he was enabled to reach the wigwams of the tribe. The head of the family where he was quartered, an overbearing and vicious man who had four or five wives, treated him badly and forced him to live in a separate hut of pine boughs. Heavens! what a dwelling during the almost insupportable winter of that region. Nor was he better off for food than shelter; there was often nothing else among four or five than a single little boiled fish. Often they had to be content with a kind of moss which grows on the rocks; they put a handful in their kettle, which thickens the water somewhat, forming a scum, like snail broth, which nourishes the imagination more than the body. They resorted sometimes to the bark of the oak, the elm, or the white wood, boiled with a little fish; while acorns were eaten with more pleasure than chestnuts are in Europe. So the first winter passed. The second winter they did better, having stored up some fish, Indian fashion; also some grain (wild rice) which grows in marshes and is shaken into the canoes as they are

* It now takes less than two days! This paragraph is a free translation.

paddled among the stalks. The church founded by the Father there was indeed but small, consisting chiefly of the elect, of whom the most numerous were little dying children, whom he had to christen secretly, because the parents hid them when he appeared, believing, as the Hurons used to do, that baptism was the cause of death. Having but slender hopes of converting many of the older savages, sunk as they were in brutality, polygamy and all sorts of vices, he resolved upon undertaking a fresh journey of three hundred miles, to visit a tribe of poor Hurons who had fled from the Iroquois to the westerly end of Lake Superior. He sent three Frenchmen to reconnoitre, who found the tribe so weak and poorly off that they advised him not to go, as he would be in danger of starving too. But when they counseled him thus, and asked what prospect of success he could have, how he could surmount the precipices, the long portages, the numerous rapids, the arid and sterile country, bare of subsistence—he had but one answer, “The Lord calls me; I must go, though I do forfeit my life.” “St. Francis Xavier,” he said, “whose existence seemed so necessary for the conversion of the heathen, died in the endeavor to enter China. Shall I, then, who am of so little worth, refuse to obey the voice of Heaven, which calls me to succor the poor Christians who have had no ministrations for so many years? No, souls must not perish under the pretense of saving the life of this weak mortal. Should we have been redeemed if our dear Master had preferred His life to that obedience to His Father which brought about our salvation?” So he went, he and some Hurons who had come to trade with the Ottawas, taking one Frenchman, and, for his whole provender, a bag of dried sturgeon and a little smoked meat, which he had been saving up for a long time against this journey. “Adieu,” he said to the other Frenchmen, tenderly embracing them. “I am saying to you the long farewell. In this world you will see me no more; I pray to the Divine goodness we may meet again in Heaven.” The poor Hurons, indeed, though lightly laden, some for want of food lost strength and courage, and left the Father, saying they would hurry to their village* and send some strong young men to fetch him. He stayed a fortnight, near a little lake, but as his provisions became exhausted, he resolved to start, in a small canoe he had found among the underbrush. But on the 10th of August, while following his companions, he mistook some rock or tree and lost his way, for at the foot of the next portage Guérin looked behind him, shouted, fired five gun shots, but to no purpose. He determined then to push on to the Huron village, to hire people at any cost to search for the lost man, but he lost the way himself and was two days in reaching it. What could he then

* Near Point St. Esprit.

do, knowing nothing of the Huron tongue? Nevertheless, "as charity and necessity are eloquent," he made them understand that the Father was lost; he promised a money reward to one young warrior, who feigned to seek for him, but in two hours returned and reported he had met the enemy. "To arms," cried the braves; pity and desire to find the priest both vanished. Thus deserted—left to the hands of Divine Providence alone—stretched on some rock or on the ground, in a country where mosquitoes and other stinging insects are particularly worrying—hunger and other torments seizing him—he died, and, may we not surely add, he hallowed in that death those beautiful far-western shores.

A handwritten signature in cursive script, reading "Arthur Harvey". The signature is written in dark ink and is positioned above a horizontal line.

TORONTO, April 30th, 1885.

ORIGINAL DOCUMENTS

Five Unpublished Letters

(FIRST LETTER)

Robert Morris to his son William in London

Contributed by Mr. Henry E. Pierrepont

Philadelphia Aug^t 20th 1794

My dear W^m You will find enclosed herewith a letter of M^r. James Wood, a mathematical instrument maker in Southwark London, who is recommended to me by M^r. Harper, as a person perfectly competent to the building of Steam-engines, and applying the force thereof to such uses as may be required. Deliver to him my friends letter and hear what he says, and then give him mine. Enquire fully as to his abilities in respect to building or erecting steam-engines, and if you find him really competent encourage him to come out directly, There is no doubt he will make a fortune by it. If he is not competent let him remain where he is. If you find him fit for our purpose, and he wants assistance to pay his passage and buy cylinders or materials necessary for the Steam-engines, you may agree to assist him, and I expect M^r. W^m Constable will, by the arrival of M^r. Warder, be possessed of means by which he can do the needful, but the smaller the sum the better.

It is of importance to get a Steam-engine erected at the *Delaware works*, now "*Morris Ville*" and if M^r. Wood should be incompetent, find out a person who is capable, and encourage such a one to come over, for he will assuredly make his fortune. I want also a man who understands making ship bolts in a rolling mill. Be cautious in your movements in making these enquiries, or you may attract the notice of Government, and get yourself into a scrape. Resting this matter with your discretion.

I am your affectionate father

Rob^t Morris.

(SECOND LETTER)

Louis Philippe in America

Contributed by Mr. Henry E. Pierrepont

When the Duke of Orleans (Louis Philippe) took refuge in America in the year 1797 he brought letters of introduction, and a credit from Gouverneur Morris on W^m Constable, who at that time hap-

pened to be in Europe. The Duke and his brothers, the Duke of Montpensier and the Count de Beaujolais, were received by M^r. James Constable, M^r. Wm. Constable's partner, who was the writer of the following letter to *Mr. Gouverneur Morris*.

Dear Sir

New York 21 November 1797

* * * We have deferred writing to you from time to time, in expectation of the pleasure of seeing you here, but from your late letters to our W^m C, that event seems uncertain for some time, and it is therefore necessary for us to acknowledge your communications to the House, by replying to your letters addressed to him.

Your favor of 11th May contains a credit in favor of the Duke of Orleans for one thousand dollars. The Duke was informed of your directions immediately on receipt of your letter, and drew for the sum. Early last month he came to this city and showed us your letter to him of 20th May, without signature, but sufficiently intelligible to us to furnish the sum he required, being \$3000, of which we paid \$1500, and gave him a credit on Boston for the remainder, which he drew for from thence. The amount is accordingly charged to your account. The Duke and his brothers arrived here two days ago from Boston, and go to Philadelphia immediately, but they gave us hopes of returning to New York in the course of the winter.

your ob^t servants

W^m & J^s Constable

M^r W^m Constable on his arrival from Europe entertained the Duke of Orleans, and his brothers, at his country seat on the banks of the Hudson near Bloomingdale. The sum advanced to the Duke on Mr. Morris' credit, was repaid in 1818 with interest to M^r Morris' family, as M^r M. died in 1816. It amounted to \$13,000.

H. E. P.

(THIRD LETTER)

Contributed by Townsend D. Cock

Extract from a private letter written to a gentleman in New York.

Dear Sir

Natchez Nov 1st 1813

You no doubt have heard of the hostility of the Creek Indians at their massacre at Fort Nimnis, that surely was a horrid disaster, but it cannot be expected that they will be successful in all their attacks upon us, or in any more of them. It appears from credible information that the men who were garrisoning that place were on that day completely infatuated, they it appears were to have a great ball or frolic on that day (there being a good many families in the Fort) and so bent were they upon their diversions, that although they had been warned by a negro and a friendly Indian of the approach of the hostile Indians, they paid no

regard to these informants and did not discover the Indians until they were rushing in at the gate. They then flew to their arms and fought desperately but in a few minutes so many Indians and whites had fallen in the gate that it was impossible to shut it. There was about three hundred persons in the Fort, one hundred and forty of whom were men, the remainder women and children. They were all killed except about fifteen men who effected their escape some of them badly wounded.

I am with sincere regard
Your friend and servant.
Samuel Clement.

(FOURTH LETTER)

George Washington Parke Custis to Thomas Carberry, Esq.

Contributed by Hon. Horatio King.

The original of the following unpublished letter was found among the papers of the Washington National Monument Society. Mr. Carberry, to whom it is addressed, was a prominent citizen of Washington, and, when the letter was written, a member of that Society. H. K.

Arlington House,
7th April, 1839.

My D^r Sir,

Your very polite letter has been duly received, and I am much gratified to learn that the Corporation of Washington purpose to erect a statue in their City Hall, of the Founder of the City and Father of his Country.

The Head of Stuart is incomparably the best likeness of the Chief in his latter days, but in the person, that great Master of Portrait Painting failed entirely. Trumbull has painted the only correct portraiture of Washington as regards the person—For the person of Washington was unique, like that of no one else. Stuart has given a plumpness, or fleshiness, rounded off on the models of the Academy. Washington was never fleshy, as witness his weight. I placed the weights in the scales at the M^r Vernon Mill, the very last time that the General [was] weighed, accompanied as he was by Governor Crawford of Canada. The Governor not so tall by several inches, but compact, and fleshy, outweighed the General by a good many pounds. Washington then observed, that in his very best days, his weight never exceeded from 210 to 220 pounds. This weight for a man rising six feet in height, of extraordinary breadth of frame, and a matchless combination of bone and muscle, would indicate anything but fleshiness. That the Hero was a "man of thews and sinews," everybody knows, but of his hand and wrist, moderns have not even an idea. Dear old General La Fayette, observed to me at M^r Vernon: The last time I saw you here, (in the fall of 1784,) *you held the good General by one of his fingers, at that time, my D^r Sir, you could do no more.* I was nearly four years

old. Houdon's statue, taken in 1786, in the Capitol at Richmond, is a very fine work, and gives a good idea of both the face and person. I have a bas relief of Houdon. But of all my originals, I greatly prefer Trumbull's, taken in 1790.

The resignation of the Commission in Annapolis is one of the most illustrious acts in the life of the *Pater Patriae*, and nothing could be in better taste than to select that memorable event, to give the character to your contemplated work. He was of course *in uniform*, being the General in Chief until his resignation was consummated. His uniform (Blue and Buff, the antient Whig colours of England) was as plain as hands could make it, which with the old fashioned cocked Hat, and a black ribbon cockade, constituted the costume of the Mereschall de France and Commander in Chief of the Armies of America and France in the War of the Revolution. In 1799, when in command of his last Army, in which I had the honour to bear a commission, a blue coat with embroidery, was the arrangement made by a board of General officers as the costume of the Chief. Washington merely asked, Can this affair be done in the United States, on being told no, that the embroidery must be executed in Europe, the venerable Chief declined the whole affair instantler. Nay, he even gave away to his adopted daughter, the present Mrs. Lewis, the magnificent white plume, made of the feathers of the Carolina crane, and presented by General Cotesworth Pinkney, and contented himself with the plain blue and buff, the old fashioned hat, and black ribbon cockade, emblems of the days of his Country's trial. This pure yet dignified Republican, avoided show in every action of his long and meritorious life. True, tinsel and embroidery could have added nothing to "Him, on whom every God did seem to have set his seal, to give the World assurance of a Man."

As you have been pleased to request my advice on this interesting subject, one very dear to my heart I can assure you, I would respectfully suggest—That the Pedestal be plain but massive, the corners supported by the Roman Faces—In the centre of the Pedestal, the Civic Wreath, with simply the words, *Pater Patriae* in letters of bronze. These two words speak volumes.

Any advice, or assistance I can render you, in regard to your most patriotic and praiseworthy undertaking, you may always command.

With much regard,

I remain D^r Sir,

Your ob. & bl sert.

George W. P. Custis."

Thos. Carberry, Esq.

(FIFTH LETTER)

Gen. John A. Dix to Hon. Charles A. Mann

Contributed by Gen. C. W. Darling from the original copy in the Oneida Historical Society.

New York 17th June 1850

My dear sir

I feel a little curiosity to know what is the state of public feeling in relation to the doings in Congress. Is it one of indifference, or is the prevailing quietude the calm which precedes the storm? I really think the course of most of the leading men in Congress is more exceptionable than it has ever been heretofore. There is a determination on the part of the South to keep California out of the Union, and many of our Northern men are playing into their hands. In this city nothing sound is to be expected. Commercial interests rule the day. The prices of stocks and of merchandise are considered by a large portion of the business men as of more importance than the preservation of great principles. A merchant told me the other day he was satisfied our whole policy in relation to slavery was wrong—that we ought to repeal all laws prohibiting the introduction of slaves into the United States, beginning with an amendment of the Constitution. This gentleman is one of the most wealthy and respectable in the city. Another of equal wealth and respectability told me he had no objection to the re-establishment of slavery in this State. A few such examples of perverted principle and feeling, are quite enough to satisfy one that our only hope is from the country. If you can give us any reasonable assurance that sound principles are to be upheld, it would be gratifying.

I am, Dear Sir

Yours truly

John A. Dix

Hon Chas A Mann

REPRINTS

A Letter from George Washington.

Capt. W. W. Armstrong, of the Pension Office, great-grandson of Gen. John Armstrong, has in his possession an interesting Washington relic in the shape of the following letter written by General Washington to General Armstrong :

FAIRFAX C.H. Virg'a Mar. 20, 1770

Dear Sir

Your obliging favour of the 24th of Jany. came to my hands sometime after the date thereof ; & to which, I should have given an immediate answer but was in hopes that by delaying of it awhile to have said something more to the purpose than I am like to do at present in respect to the matter you did me the honor of mentioning, in behalf of y Son.

At this time, I do not know one good opening for a young Practitioner in Physick, anywhere within the circle of my acquaintance—true it is we have lost one of the two (Doct. Laurie) that used to supply Alexandria and the County about it, but his incapacity to attend the calls of his profession made way long before his death, for the other (Doctr. Rumney), who is well established in the business, & not like to be affected by a young Gentleman lately from the College of Philadelphia, one Mr. Alexander, notwithstanding his large family connections in this County.—From hence to Fredericksburg I think there is not an opening worth Mr. Armstrongs embracing—below that Doctr. Mercer ; from his acquaintance and enquiries, will be able to give you a much more satisfactory acct. than I can.—

A Gentleman of the turn of mind you describe your son to be, regularly educated in the Study of Physick, and modest of deportment, Can never fail to command esteem that will improve upon acquaintance—such I wish most of our young gentlemen were, but we have had some from the College of Edenburg (lately) that are rather too full of themselves.—If Doctr. Armstrong should take a turn into Virga. any time this spring, I should be exceedingly glad to see him at my house, and should think myself very happy if it was in my power to render him, or you, any acceptable Service.

Mrs. Washington returns you many thanks for your good wishes, & joins very cordially with me in tendering our best respects to yourself and Mrs. Armstrong.—
I am Dr Sir

Yr. Most Obed. & Hble Servt.

G. WASHINGTON.

—*Washington Star.*

WASHINGTON'S ANCESTRY

To explode fictitious history that has once got into print is, indeed, a difficult task. After all Col. Chester's masterly researches into the Washington pedigree, the mistake of tracing the President from the Washingtons of Northamptonshire is still from time to time repeated; and in the latest edition of Murray's *Handbook for Northamptonshire and Rutland* (1878, p. 167) we read that in the chancel of Great Brington Church there is "a slab for Lawrence Washington, d. 1616, the great-great-grandfather of George Washington. This Lawrence Washington, with his father, came to Brington from Sulgrave, and his second son John emigrated to America."

Now, in the short synopsis of Col. Chester's immense genealogical labors, reprinted by him from the *Herald and Genealogist*, in 1866, as *A Preliminary Investigation of the Alleged Ancestry of George Washington*, etc., it is shown that of the two brothers, John and Lawrence Washington, who are stated in Baker's pedigree, to have emigrated to America "about 1657," John was knighted, and Lawrence became a clergyman in Essex, the former being in 1657 about sixty-two, and the latter fifty-five years of age. "If," says Col. Chester, "they were the Virginian emigrants, the one must have abandoned his knighthood, and the other rejected his surplice and bands; for the actual emigrants were never known in Virginia except as 'esquires' or 'gentlemen,' and by the latter appellation they described themselves in their wills. For either of these rejections there could have been no possible cause, as Virginia was then a loyal colony, and the established religion that of the mother-country. Sir John Washington had at least two wives. The first, named Mary, was buried at Islip, in Northamptonshire, while the name of his widow was Dorothy, and she was buried at Fordham, in Cambridgeshire. John Washington, gentleman, the Virginian emigrant, states distinctly in his will, dated September 27, 1675, that he brought his first wife from England with him; that she died in Virginia, and was buried, with two children, on his own plantation; and that his second wife's name was Anne, whom he appointed his executrix."

In *Harper's Magazine*, vol. lviii., No. 346, p. 521, there appeared an article entitled "The English home of the Washingtons," the writer of which gave an account of his visit to Brington, and described the church and the Washington memorials, illustrating them with engravings. He assumed as true history the story which Mr. Simpkinson, in his tale *The Washingtons* (1860), had founded on the parish registers, the monuments in the church, and entries in the Althorp household-books. Mr. Simpkinson afterwards became intimate with Col. Chester, learned from him the results of his laborious investigations, and was anxious to disclaim for the tale the authority of actual history. This he accomplished in a letter printed, I believe, in the *New York World*, which was reissued in an abridged form in the *Magazine of American History*, August 1, 1881.

But all has been in vain. People still go on quoting Mr. Simpkinson against

himself, either ignoring his disavowal or misunderstanding the clear proofs of Col. Chester's discoveries. During fifteen years Col. Chester was trying to trace the pedigree of the president back to England. The Virginia emigrants have been identified, and their wills examined; but the missing link between England and Virginia cannot be found.

"Washington" has never been an uncommon surname in England, and it is still to be met with in all parts of the country. As a place-name it occurs to the north in Durham, and to the south in Sussex. I thought that perhaps the first emigrant might have gone from Westmoreland. Henry Washington was mayor of Kendal 1657-8. Richard Washington filled the same office 1685-6. Col. Chester endeavored to take up this clue, but unfortunately the Kendal register-book for the years 1632-79 is lost—the very period during which the first emigration is supposed to have taken place.

Too much stress must not be laid on what President Washington wrote in his letter to Sir Isaac Heard. He says: "I have often heard others of the family, older than myself, say that our ancestor who first settled in this country came from one of the northern counties of England; but whether from Lancashire, Yorkshire, or one still more northerly, I do not precisely remember." As Col. Chester observes, "Taking the tradition for what it may be worth, it is quite certain that Northamptonshire cannot be accounted one of the northern counties of England."

At the close of his *Preliminary Investigation* (1866), Col. Chester says that "he has accumulated a large amount of information from almost every source accessible to him, and believes that it embraces the real history of the family; but he yet lacks the positive clue that would solve the mystery, and enable him to reduce the chaotic material to order."

Who can now hope to succeed, when such a man has failed?

J. DIXON.

From Notes and Queries. LONDON, ENG.

MINOR TOPICS

HISTORICAL ERRORS CORRECTED

In the oration of the Hon. Robert C. Winthrop, read on the occasion of the completion of the Washington monument, appears the following passage: "If I could now present myself"—wrote Edmund Randolph, who had made injurious imputations on Washington before and after his dismissal from the Cabinet in 1795—"If I could now present myself before your venerated uncle"—he wrote most touchingly to Judge Bushrod Washington in 1810—"It would be my pride to confess my contrition, that I suffered my irritation, let the cause be what it might, to use some of those expressions respecting him, which, at this moment of indifference to the world, I wish to recall, as being inconsistent with my subsequent conviction. My life will, I hope, be sufficiently extended, for the recording of my sincere opinion of his virtues and merit, in a style which is not the result of a mind merely debilitated by misfortune, but of that Christian philosophy on which alone I depend for inward tranquillity."

It is due to the truth of history, to refer to the fact—well-known at the period to which the passage refers—that Mr. Randolph never was *dismissed* from the Cabinet of General Washington.

In the earliest and best known biography of Washington, written by his intimate friend, Chief Justice Marshall, it is stated (vol. v., page 639), that "On the 19th August, the Secretary of State had *resigned* his place in the administration."

Washington Irving, in his biography of Washington, vol. v., page 223, referring to the same occurrence, says: "As Randolph entered the Cabinet, Washington, who was conversing with Pickering and Wolcott, rose and handed to him the letter of Fauchet, asking an explanation of the questionable parts.

"Randolph appears to have been less agitated by the production of the letter, than hurt that the enquiry concerning it had not first been made of him in private. He postponed making any specific reply, until he should have time to examine the letter at his leisure, and observed on retiring, that after the treatment he had experienced, he could not think of remaining in office a moment longer.

"In a letter to the President the same day he writes, 'Your confidence in me, sir, has been unlimited, and, I can truly affirm, unabused. My sensations, then, cannot be concealed when I find that confidence so suddenly withdrawn, without a word or distant hint being previously dropped to me. This, Sir, as I mentioned in your room, is a situation in which I cannot hold my present office, and therefore I hereby resign it. It will not, however, be concluded from hence that I mean to relinquish the enquiry,' etc.

In the life and "Writings of George Washington," published by Jared Sparks, vol. i., page 507, it is stated, that, "The day following that on which the President affixed his name to the treaty, Mr. Randolph resigned the office of Secretary of State." Mr. Sparks' statement of what occurred on the occasion of Mr. Randolph's withdrawing from the Cabinet is in accordance with the statement made by Washington Irving.

Mr. Randolph, in his letter of vindication addressed to General Washington, states, "On Wednesday, the 19th of August, 1795, I was going to the President's, as usual, at nine o'clock in the morning, when his steward, Mr. Kidd, came to me at Mr. Rawle's in Market Street, and informed me that the President desired me to postpone my visit until half after ten. I supposed at first that he might wish to have the latest hour for writing by the southern mail of that day, or perhaps to ride out. But, as I was desirous of asking him a short question, which would determine me as to the manner of executing a piece of business to be carried to him that morning; I inquired of Mr. Kidd if he was then occupied with any particular person? and I was answered that the President was every moment expecting some gentlemen. Accordingly, I turned to the office, and at the appointed hour, called at the President's. I desired the servant to tell the President, that I was come; but being informed that Mr. Wolcott and Colonel Pickering (the Secretaries of the Treasury and War), had been there for some time, I went upstairs, and began to think that the steward had committed a mistake. I supposed, that a consultation of the heads of departments had been intended to be held by the President earlier in the day, and that it might be proper for me to explain the cause of my delay. But when I entered the President's room, he with great formality rose from his chair and Messrs. Wolcott and Pickering were also marked in their efforts to a like formality. I therefore resolved to wait for the unfolding of this mysterious appearance. Very few words passed between the President and myself, and those which fell from him showed plainly to me, that he wished to hurry to something else. Immediately afterwards he put his hand into his pocket and pulling out a large letter, said something of this nature: "Mr. Randolph! Here is a letter which I desire you to read and make such explanation as you choose." I took it and found it to be a letter written in French by Mr. Fauchet,* on about fifteen pages of large paper. On reading the letter I perceived that two of the most material papers, which were called the dispatches Nos. 3 and 6, were not with it. I observed to the President that I presumed the letter to be an intercepted one. He nodded his head. I then said that at that time I could recollect very little which would throw light on the affair. * * * The President desired Messrs. Wolcott and Pickering to put questions to me. This was a style of proceeding to which I could not have submitted had it been pursued." * * * The President "desired me to step into another room, while he should converse with Messrs. Wolcott and Pickering upon what I had said. I retired, and on re-

* The French minister.

volved the subject, I came to this conclusion ; that if the President had not been worked up to prejudge the case, he would not have acted in a manner so precipitate in itself, and so injurious and humiliating to me ; and that he would in the first instance have interrogated me in private. After an absence of about three-quarters of an hour, I returned into the President's room, when he told me that as I wished to put my remarks on paper, he desired that I would. I replied that it should be done. * * * The President then asked me how soon I could finish my remarks, I answered, as soon as possible. But I declared to him at the same instant, that I would not continue in the office one second after such treatment."

In order to form a just estimate of this transaction, and of the relations then existing between the two principal parties to it, the following brief recital of facts seems necessary :

In 1775 Mr. Randolph, then twenty-two years of age, "sought the camp of Washington at the siege of Boston, and became a member of his military family." In 1776 he represented the City of Williamsburg, then the capital of Virginia, in the Convention, which framed its first Constitution, and which conferred upon him the office of Attorney-General of the State. In 1779 he was deputed to the Continental Congress and remained a member until 1782. In 1786 he was elected Governor of Virginia by the General Assembly and was chosen by the same body one of the seven delegates to the convention at Annapolis, and in the following year, to the general convention which framed the Constitution of the United States, over which Washington presided. In 1788 he was elected to the Virginia convention called to decide upon the adoption or rejection of the Federal Constitution, which he earnestly advocated, and Patrick Henry, with his well-known eloquence, as earnestly opposed. In 1790 he was appointed by Washington the first Attorney-General of the United States under the new Constitution, as he had been the first Attorney-General of Virginia. In 1795 he succeeded Mr. Jefferson as Secretary of State in the Cabinet of President Washington, and until his voluntary withdrawal therefrom on the 19th of August, 1795, Washington had had for twenty years at least no more devoted and intimate friend and ardent admirer, nor any in whom he had more unlimited confidence. In his letter addressed to the President vindicating himself from the imputations of official misconduct which had been drawn by his political enemies in the cabinet from the secret and incomplete dispatch of Fauchet—imputations afterwards *disclaimed and repudiated by Fauchet himself*—Mr. Randolph says, ' Sir, never until the 19th of August, 1795, could I have believed that in addressing you without the restraint of official relation I should use any other language than that of a friend. From an early period of my life, I was taught to esteem you ;—as I advanced in years I was habituated to revere you :—you strengthened my prepossessions by marks of attention ; and if by some others you have been insidiously pampered with more lavish assurances of an affectionate attachment ; from me you have experienced a sincere anxiety to continue your reputation upon its ancient

basis, the hearts of the people. * * * That you pre-judged my case is proclaimed by your actions.

"On the evening of the 11th of August, 1795, Mr. Fauchet's letter was presented to you by Mr. Wolcott. At all hours of the day I was ready to obey your summons. On every day except Sunday; and perhaps twice a day I had a private interview with you. Twice I spoke to you of the warmth which Messrs. Wolcott and Pickering had discovered on the 12th in the discussion of the treaty in your room, and which undoubtedly, as it now appears, sprang from a knowledge of that letter. On the 14th you veiled your meditated stroke by a visit at my house. On the 15th you invited me in the most cordial way to dine with a party of chosen friends, and placed me at the foot of your table. On the 18th the same air of hospitality was assumed. But the system of concealment, which had been practised under the united auspices of the British minister and the American Secretary of the Treasury, was not thought unworthy of your adoption;—Mr. Wolcott had been privy to the letter at least from the 28th of July, and the President of the United States from the 11th of August, when the final catastrophe seemed to be secure. Why was all this stratagem observed towards him of whose fidelity you had never entertained a doubt? * * * It was in perfect unison with the events of the 19th of August; when your tribunal of enquiry had been sitting more than an hour before I was admitted; when I was received in the form of a state criminal; when those who had been plotting against me, were invited to interrogate; when in military style I was directed to retire until you should converse with them."

In another part of this letter to the President, Mr. Randolph reminds him that up to this date (his withdrawal from the Cabinet), he had been the most constant and zealous defender of the President against the criticisms of his administration by the leaders of his own (Mr. Randolph's) party, and thereby incurred their serious distrust. How incredible, then, the statement that Mr. Randolph "had made injurious imputations" on Washington *before* his withdrawal from the Cabinet. Even after that date, under all the provocation which he had received, nothing to Washington's disparagement was ever uttered or written by Mr. Randolph, so far as is known, except what is contained in his "Vindication" above quoted from. And even in that, under the circumstances already referred to, his language must be conceded to be no more severe than was unavoidable, and scarcely more than a recital of facts.

In this connection it would not be just to overlook the letter of Mr. Randolph to the Hon. Bushrod Washington of July 2, 1810, quoted by Mr. Winthrop. In that letter Mr. Randolph declares: "I do not retain the smallest degree of that feeling which roused me fifteen years ago against some individuals. For the world contains no treasure, deception or charm, which can seduce me from the consolation of being in a state of good will towards all mankind." He then expresses "his contrition that he suffered his irritation, *let the cause be what it might*, to use some of those expressions respecting him" [General Washington] "which at that moment

of his indifference to the ideas of the world, he wished to recall, as being inconsistent with his subsequent conviction." "My life," he adds, "will, I hope, be sufficiently extended for the recording of my sincere opinion of his virtues and merit in a style which is not the result of a mind merely debilitated by misfortune, but of that Christian philosophy on which alone I depend for inward tranquillity."

When this letter was written, the Christian frame of mind, which at all times strikingly distinguished Mr. Randolph, had been heightened and rendered almost over-sensitive by the recent death of an idolized wife, the sudden prostration by paralysis of his talented and accomplished only son, and the sure approaches of the same disease menacing his own enfeebled health.

Yet from this letter, in which Mr. Randolph neither retracts, nor acknowledges error in, *any* statement of fact made in his "Vindication," attempts have been made to impute to him a recantation of that vindication.

In 1855 the "Vindication" had become very scarce, and it was republished in a limited edition by one of his grandsons, with a preface by the editor, in which is contained references to the testimony of some of the most distinguished and patriotic men of the nation, Mr. Randolph's contemporaries, declaring their conviction of the conclusiveness of his defense and their knowledge of the purity of his motives.

P. V. DANIEL, JR.

RICHMOND, Va., May, 1885.

THE OLDEST ORCHARD IN ONEIDA COUNTY

The Kirkland Orchard on College Hill, in Oneida County, stands on a portion of the grant of 4,760 acres made by the Oneida Indians and the State of New York jointly to Samuel Kirkland, Missionary, or, as he was then titularly called, Dominie Kirkland. This grant was made in 1788, but the Dominie did not transfer his residence to Clinton from Oneida Castle until 1792. It could not have been, therefore, earlier than that date when he planted his apple trees. It was, probably, several years later. Counting the rings of logs recently cut I found the approximate age of the trees to be eighty to eighty-five years. This would conform to the record of his having, very soon after his settlement in Clinton, brought over from Connecticut and planted a small nursery at the foot of the hill near where a district school house now stands and an orchard of later growth had long stood, but which was removed, in 1884, to make room for a hop-yard. The trees, having attained suitable size, were transplanted to the hillside above, about half way to the site of his school or academy for Indian youth, now Hamilton College. The selection of a site for his school showed Kirkland's admirable practical good sense as well as aesthetic taste. He was equally at home in horticulture, for a more favorable location for fruit does not exist in Central New York. Opening just below the college

and running down with ample spread into the valley is a complexity of swales, facing fully to the south-east. Sheltered from both west and north-west winds, this vale opens to the full to the morning sun. It is to-day the home of such fruits as cannot be successfully grown and ripened at the distance of half a mile to the east or half a mile to the west. Besides, there is in Central New York no finer outlook than over the broad Oriskany Valley down into the Mohawk and over the Trenton and Deerfield hills and the ranges that flank southward to Paris and Hanover. To-day you can stand under the Dominie's trees and count the chimneys of New York mills, the steeples of Utica, the furnace stacks of the iron smelters, besides a half dozen thriving villages of great beauty. When the orchard was planted we can only imagine the wild glory of the scene, especially in autumn, when the predominance of maple, ash, linden, elm, and great masses of sumac interspersed with hemlock and a vast interlacing of Virginia creeper, must have rendered the valley a glory beyond description. A fine brook, gathering springs up a deep glen cut and left behind in an old geological era, pours through the orchard and contributes to-day to a mill dike. By this brook Sconondo was buried. The dearest friend of Kirkland, we know they must have often walked in this sunny swale, or in summer heat sat under the giant maples that still flank the glen.

A very high bluff above and overhanging the glen, has several aged hemlocks. A few years ago they constituted a peculiar feature of the scenery as one looked south from College Street. Nothing could be more striking, as they sentinelled the whole country. But the lightning selected one after another, and splintered them to their death. I have sometimes thought the speech attributed to Sconondo: "I am an aged hemlock; the winds of an hundred winters have whistled through my boughs," must have been suggested by these very trees. Nothing more august marked the scene in all this section.

The orchard numbered about 200 trees, covering four or five acres. Another orchard farther south is probably to be traced to this little nursery sowed at the foot of College Hill.

The fruit was as varied in quality as is usual with seedlings. No grafting was done until Mrs. Robinson, the daughter of Kirkland, and her husband, the Rev. Dr. Edward Robinson, deeded a portion of the land to John Powell. Two men then lived on College Hill whose tastes were pre-eminently horticultural; one was Josiah Noyes, Professor of Chemistry in Hamilton College, and John Powell. Both of these men put forth strenuous efforts to introduce the best varieties of known apples, pears, plums, and whatever else they could acclimatize. They grafted with enthusiasm. Powell went so far as to graft the wild cherries in the woods, "for the birds" he said, with a mingling of poetry and gentle good nature. Owning a large part of the Kirkland orchard, he began to improve the fruit by grafting. In the middle of the century, while the trees were still in full vigor, no finer autumn sight could be seen than the Spitzenburghs and Russets that clothed the branches. No codling moths or curculios had then entered a claim to our choicest fruits.

Many of the original fruits were, however, of such special value as to preserve them from the grafting saw. It was easy to trace the blood of the stock back to English and French apples of fame over one hundred years ago; notably the Swaar, the English Pippin, and the Bellefleur. A good horticulturist will thus detect the ancestry of almost any wild fruit. Of the better seedlings one alone has proved of such superior quality as to enable it to secure a place among the market apples of to-day. This shows Bellefleur blood predominating, but as Patrick Barry thinks was the result of a cross with the Swaar. It bears the name of the originator; and alongside Hamilton College I think the Dominie would now rejoice to see the Kirkland apple growing in its luxuriance and beauty. Certainly the college has been less just to its founder in taking the name of another patron, than the owners of the orchard in giving his memory a perpetual youth in the ever-propagated and rejuvenated apple.

The orchard retained its vigor until about the middle of the century. When John Powell died, proper care of the trees ceased. The professional grafter was allowed to cut at will. To increase his pence no man's propensity is so violently toward slaughter. The trees were otherwise, for a few years, neglected. As a result most of them are dead, and the rest bear the wounds received in the era of professionalism. A few are sure to fall each year, and the hardiest will hardly outlive the century. But among the survivors is the original Kirkland apple tree. This will be carefully guarded, and at last replaced by a root sucker that will only repeat the same fruit and stand as a memorial in the twentieth century or even twenty-first, of the man who taught the Oneidas the arts of peace in the eighteenth. To make it more sure of preservation a stone will even be set up beside the tree, recording its historical value.

It contributes in no small degree to the interest of the Kirkland orchard that it stands on ground that was never covered by State title. Granted to the Dominie, the title passed directly through him from the Oneidas to the present owner.

E. P. POWELL


CLINTON, New York.

NOTES

TICKET—*Editor of Magazine of American History*: I send you an early use of this word to indicate a list of candidates to be voted for, which is interesting in connection with the Chapters on "Political Americanisms," just concluded in your Magazine. Sarah Franklin writes from Philadelphia, under date of October 3, 1766, to her brother Governor William Franklin: "The old ticket forever! We have it by 34 votes!" The passage is found on page 191 of "Letters to Benjamin Franklin, from his family and friends, 1751-1790." New York, 1859.

SAMUEL A. GREEN

BOSTON, May 8, 1885

YALE COLLEGE SETS A GOOD EXAMPLE— The Public are Advised, that in the 5th Masters Thesis printed this Year, which is marked by an Index, to be disputed, viz., *An, si quis a mola actione, &c.* a very material Error escaped the Correction of the Press: Under it stands, *Affirmat*, whereas it should have been, *Negat*, as was designed.—*New Haven, Sept. 22, 1768*

The above notice was printed as an advertisement in The New York *Journal*; or, the *General Advertiser*, Sept. 29, 1768.

PETERSFIELD

WAS WASHINGTON A CHRISTIAN?—I picked up, recently, at an old book-stall in New-York city, a volume of sermons by the distinguished Dr. James Abercrombie, of Philadelphia, who was in his day excelled perhaps by no other preacher of the Gospel. He evidently had the volume bound himself, for "Presented, June 6th, 1817, to Mrs. Mary J.

Abercrombie, by her affectionate husband, Jas. Abercrombie," is written on the fly-leaf, and a number of blank sheets of writing-paper are bound in on which to jot down his thoughts from time to time. On these leaves we find in his own hand-writing, the following extract from a sermon by Dr. Wilson, of Albany, 27th October, 1831:

"Washington was a man of valour and wisdom. He was esteemed by the whole world as a great and good man, but he was not a professing Christian, at least not till after he was President. When the Congress sat in Philadelphia, President Washington attended the Episcopal Church. The Rector, Dr. Abercrombie, has told me that when the Sacrament of the Lord's Supper was to be administered, Washington's custom was to rise just before the ceremony commenced, and walk out of the church. This became a subject of remark in the congregation as setting a bad example. At length, the Doctor undertook to speak of it with a direct allusion to the President. Washington was heard afterwards to remark that this was the first time a clergyman had thus preached to him; and that he should, henceforth, neither trouble the Doctor nor his congregation; and ever after that upon Communion days, he absented himself altogether from the church."—"*Report of Sermon in Weekly Free Press.*"

Then, as a commentary on the above, follows his own version of this anecdote of President Washington:

"*Copy of a letter from myself to Origen Bachelier of N. Y., Nov. 29th, 1831.*

Sir: When your first address of 18th

Inst. arrived, I was absent from the city, and did not receive it, till after I had perused yrs of 26th Inst. With respect to the enquiry you make, I can only state the following *facts*; that as the Pastor of the Episcopal Church (an humble *assistant minister* to its *Rector*, the Rt. Rev. Dr. White) observing that on Sacrament Sundays, Gen'l Washington, immediately after the Desk and Pulpit services, went out with the greater part of the congregation, always leaving Mrs. Washington with the communicants, she *invariably* being one, I considered it my duty, in a sermon on Public Worship, to state the unhappy tendency of *example*, particularly of those in elevated stations, who invariably turned their backs upon the celebration of the Lord's Supper. I acknowledge the remark was intended for the President, and, as such, he received it. A few days after, in conversation with, I believe, a Senator of the U. S., he told me he had dined the day before with the President, who, in the course of conversation at the table, said, that on the preceding Sunday, he had received a very just reproof from the pulpit, for always leaving the church before the administration of the Sacrament; that he honored the preacher for his integrity and candour; that he had never considered the influence of his example; that he would never again give cause for the repetition of the reproof; and that, as he had never been a communicant, were he to become one then, it would be imputed to an ostentatious display of religious zeal arising altogether from his elevated station. Accordingly, he afterwards never came on the morning of Sacrament Sun-

day, tho', at other times, a constant attendant in the morning. Of the assertion made by Dr. Wilson in the conclusion of a paragraph of your letter, I cannot say I have not the least recollection of such a conversation, but had I made use of the expression stated, it could not have extended farther than the expression of private individual opinion. That Washington was a professing Christian is evident from his regular attendance in our church; but, Sir, I cannot consider any man as a real Christian who uniformly disregards an ordinance so solemnly enjoined by the divine Author of our holy religion, and considered as a channel of divine grace. This, Sir, is all that I think it proper to state on paper. In a conversation, more latitude being allowed, more light might, perhaps, be thrown upon it. I trust, however, Sir, you will not introduce my name in print.

I am, Sir,

Yrs.

James Abercrombie "

The MS. pages of this volume contain, also, many other interesting historical items.

WILLIAM L. STONE

JERSEY CITY, May 5th, 1885

TYPOGRAPHICAL ERRORS—There is a serious typographical error in *History of Virginia Company*, to which my attention has recently been called, which would probably not have happened, had I not been abroad, when the work was published. In quoting from Hamor, on page 91, he is made to write that Pocahontas, "and her two sons" witnessed her marriage. The *her* should have been

his, the sons of Powhatan. By copying from the *Virginia Company*, the error is reproduced in *English Colonization of America*, published in 1871, by Strahan and Company, London. It is my desire to make the correction as wide as possible. In this connection, I would refer to a *lapsus penna* in *Virginia Vetusta*,

published this year, by Munsell's Sons, Albany, New York. The preface to the work correctly mentions the children of John Rolfe as named Thomas and Elizabeth, but on page 141 Elizabeth is called Jane, the name of her mother.

EDWARD D. NEILL

ST. PAUL, Minnesota, April 23, 1885

QUERIES

WASHINGTON'S HAT—The three-cornered cocked hat, of the late Gen. Washington, has been presented to the Museum of South Carolina, by Gen. Thomas Pinckney. *The Minerva, New York, Dec. 4, 1824.*

Is this interesting relic still in existence? The hat is the only article of Washington's apparel unaccounted for.

PETERSFIELD

JOSEPH AXSON—*To the Editor of the Magazine of American History*: On December 26, 1759, a treaty of peace and friendship was concluded, at Fort Prince George, by His Excellency William Henry Lyttelton (afterwards Lord Lyttelton), Captain General and Governor in Chief of South Carolina, with Attakullakulla, and other headmen and warriors of the Cherokee nation. Among the witnesses to this treaty was Joseph Axson, sworn interpreter. Is anything known of his life and family? Did he come from England and are the Axsons of New Orleans his descendants?

ERNEST AXON

66 MURRAY ST., HIGHER BROUGHTON,
MANCHESTER, ENG.

FIRST STATE CHARTER—What State was the first to receive its charter, after the declaration of Independence?

This question was asked at a teachers' examination, but we have not been able to find any authority on that subject.

JOS. A. KREITLER

CLEVELAND, O., May 2

PATRICK HENRY—I should be glad to learn through your valuable Magazine, or otherwise, why "Junior" is added to Henry's name. I find it so in several old Documents from 1765 to 1775. I have a *fac simile* of the signatures of the first Continental Congress, which met September 5, 1774, and among the names from Virginia are Richard Henry, Sec., G^o Washington, and "P. Henry, Jr."

It is no answer to say that his father's name must have been Patrick, for it was John.

R. W. JUDSON

OGDENSBURG, N. Y.

O. K.—*Editor Magazine of American History*: When and by whom were the letters O. K. first used as meaning all correct?

PRESIDIO

SAN FRANCISCO

WHIGUHAM—In the summer of 1780 a brigade of the British Guards were encamped on the heights of Fordham, New York. In the testimony of several of the officers before a Court Martial,

they refer to a meeting held in the *Whigum* of Lieutenant Colonel Stewart. What was a Whigum, a tent, or structure of boughs? MINTO

PORTRAIT OF WILLIAM LIVINGSTON (b. 1723, d. 1790) Governor of New Jersey—Mr. Theodore Sedgwick, Jr., in his

Life of William Livingston (1833), p. 46, says: "The only full-sized portrait of Governor Livingston, taken after he had reached maturity, is in the interior of this State. For the purposes of this memoir it was considered inaccessible." At the present time where may this portrait be seen? C.

REPLIES

POLITICAL AMERICANISMS [xiii. 200, 298, 497, 495, 496]—Allow me to call attention to three or four inaccuracies in Mr. Norton's papers. 1st The alliteration, "59° 40' or fight" was in 1844, not 1824. The treaty, April 17th, 1825, between the United States and Russia, agreed to 59° 40' as the southern boundary of Russian America, now Alaska, the United States claiming to that point, England also claimed it, what is now known as British Columbia. In 1844, the bill establishing the territorial government of Oregon was passed, the dispute about the "North West Boundary" waxed warm, and during that excitement the alliteration "59° 40' or fight," became a popular rallying cry.

2nd Plumed Knight. "The white plumed leader, the gallant Harry of the West," I find in a speech made by S. S. Prentiss at the great Clay meeting in New Orleans, February, 1848, which I think is the first instance of applying the term "plumed" to a political leader.

3d John Randolph called "The Missouri Compromise" a dirty bargain, and christened the Northern men who had favored it "Doughfaces." This was in 1820. Thomas H. Benton, writing of that time, spells it "*Doughface*." Being an intimate (if such a man could have

one) friend of Randolph, he would doubtless use the correct word.

4th "The Whig party was not strong enough to achieve success until 1848, when it elected Zachary Taylor to the presidency." In 1840 William H. Harrison was elected by the Whigs, the first President elected by that party.

5th Query. "Young Hickory." Is not Mr. Norton mistaken in applying that title to Martin Van Buren? I can find no mention of it until 1844, when James K. Polk was the Democratic candidate for President. He was from the same State as Jackson, "Old Hickory."

D. KELLOGG LEITCH

SKANEATELES, April 29, 1885

Comments like the foregoing are most acceptable, and the writer has the author's thanks. The substitution of a 2 for a 4 in the first paragraph referred to was an easy typographical error, partly explained in fact by the occurrence of the date 1846 a few lines farther on. In regard to the election of Harrison in 1840, while it was nominally a Whig victory, it was effected so largely by reason of a temporary Democratic defection, due altogether to Harrison's personal popularity, that it was not regarded after the first enthusiasm was over, as a decisive Whig victory.

The next election, indeed, reversed the verdict and placed a Democratic president, Mr. Polk, in the White House. The author acknowledges with sorrow, however, that he should have been more explicit in regard to this passage. Martin Van Buren, as "Young Hickory," was suggested to the author as a personal reminiscence of by-gone days, by a veteran who could not give an actual date, but who was no doubt correct in the main. The fact that Polk bore the title is worth noting, but Van Buren can probably claim priority.

C. L. N.

A REVOLUTIONARY RELIC [xiii. 281, 407, 503]—In a scrap-book compiled more than twenty years ago I find a copy of "a sermon preached on the eve of the battle of Brandywine, by the Rev. Joab Trout, Sept. 10, 1777." It differs from your reproduction only in punctuation and division, and book, chapter, and verse of text are given. It is accompanied by the following introductory note. "Not long since," writes Mr. Hamilton Scheffner, "searching into the papers of my grandfather, Major John Jacob Schefunger, who was out in the days of the Revolution, I found the following discourse, delivered in the presence of a large portion of the American soldiery, General Washington, General Wayne, and other officers of the army, on the eve of the battle of Brandywine."

M. K. REYNOLDS

CLINTON, MASS., April 30, 1885

COMMODORE MATTHEW CALBRAITH PERRY [xiii. 417-435] An explanation—In depositing at the Military Academy at West Point sections of seven flagstuffs, "taken by the gallant army of

the U. S. in the campaign commencing at Vera Cruz and terminated in the capital of Mexico," were three from Vera Cruz—one from the castle first entered and occupied by the Naval forces, the other two from the forts silenced by the Naval batteries. Commodore Perry, in a letter published in the New York *Courier* and *Inquirer*, October 20, 1848, called attention to the oversight of General Scott in writing the inscriptions, and requested that they be corrected to read "taken by the Army and Navy." Perry justly quotes the passage from Scott's general orders printed below.

WILLIAM ELLIOT GRIFFIN

"EXTRACT from General Order, No. 80, of General Scott, dated headquarters of the Army, Vera Cruz, March 20, 1847.

"Thanks higher than those of the general-in-chief have been earned by the entire home squadron under the successive orders of Commodores Conner and Perry for prompt, cheerful and able assistance from the arrival of the army off this coast. Besides landing troops and supplies, and the strict blockade of this port, the smaller vessels detached by Com. Perry, under the immediate command of Captain Tatnall joined for a time in the attack on the city at the imminent risk of being sunk by the fire of the castle, and the land battery No. 5 (called the Naval) which followed Nos. 1, 2, 3 and 4 (served by the army) at the end of two days, was exclusively (after being prepared by the engineers and troops of the army) armed, manned and commanded out of the squadron. This battery in the successive tours of Captains Aulick and Mayo, proved itself highly effective."

SOCIETIES

NEW YORK HISTORICAL SOCIETY—At the regular meeting, May 7, Professor Moses Coit Tyler, of Cornell University, read an able and extended sketch of "Francis Hopkinson, Revolutionary Statesman and Satirist." Introducing his subject by citing the desire of John Adams "to penetrate a little deeper into the bosom of this little, curious, ingenious gentleman, with a head no larger than a big apple," Professor Tyler gave an admirable summary of the life and character of the famous author of "The Battle of the Kegs," and a scholarly analysis of his genius and style, while showing his important place in the councils of the nation, and the timely and salutary influence of his caustic pen in promoting the success of the American cause, and upon the political questions arising subsequent to the war.

Miss Elizabeth Clarkson Jay and Messrs. John Harper, Robert Harris, John L. Nisbet and Woolsey H. Hopkins were elected resident members.

At the meeting, May 5, the Librarian reported a large number of additions to the collections, among others, the portraits in oil of Robert and Henry Benson, brothers of Judge Egbert Benson, first President of the Society, painted respectively by Colonel John Trumbull in 1804, and John Vanderlyn in 1823, and bequeathed to the Society by the late Robert Benson, grandson of the aforementioned Robert; also the portrait in oil of Hon. Roger Strong, painted by Vanderlyn, and presented by Miss Frances G. Mankin, of Yonkers, New York, the granddaughter and only living descendant of the subject of the portrait. The

paper of the evening was furnished by the eminent American philologist, Dr. D. G. Brinton, of Philadelphia, in which the learned lecturer, in a highly interesting and valuable elucidation of the form, peculiarities and singular power of the American aboriginal languages, showed that they would bear favorable comparison with the present ones of civilization. He cogently urged that more attention should be given to their study, especially in our institutions of higher learning, in view of their great importance in solving the ethnological problem of the continent and in their bearing upon questions relating to the general science of language.

RHODE ISLAND HISTORICAL SOCIETY—Professor E. B. Andrews, of Brown University, read a highly interesting historical paper, entitled, "The Founding of the English State," before this learned body on the evening of April 21. It was a masterly presentation of the subject. The lecturer said: "Of all European nations, the English have shown the greatest genius for healthy political organization, for government at once free and stable. No other people has so steadily or so successfully resisted tyranny. None has suffered less from revolutions. Equally noteworthy is the fact that these results have been reached by persistent use of the forms of law, wholly apart from mere experiment with theories of government. Political theories and theorists there have been in England, with influence nowise slight; but their guidance has been followed soberly, with due regard to the necessarily practical character of good constitution-building."

The many forces that have operated in the formation of the English system of government, both physically and mentally, were ably discussed. In conclusion Professor Andrews said: "We have thus seen the English nation rise, develop a firm realistic unity, become conscious of its rights as against its king, and create the means for declaiming and defending those rights."

NEW HAVEN COLONY HISTORICAL SOCIETY—The most important gift of recent date to this Society is from Charles W. Coit, Esq., of Grand Rapids, Michigan. It consists of five magnificent pieces of very ancient "Gobelin tapestry," depicting scenes in Cervantes's stories of *Don Quixote* and *Gil Blas*. The art of dyeing worsted and silk in brilliant colors, that last for centuries undimmed by time, of which these tapestries are so wonderfully worked and woven, has been lost. Originally in 1603, in Flanders, the art of tapestry making was invented and practiced. In 1666, Henry IV. of France brought the art and the workmen into his kingdom. Here it was learned and practiced by the Gobelin families alone. Early in the following century it was brought into Spain—1727. These fine tapestries are from that country—obtained by the father of the donor during his long residence at or near Madrid. A Spanish nobleman in straitened circumstances became indebted to Mr. Coit and pledged to him the tapestries, and was unable to redeem them. Mr. Coit brought them to this country. For some years past they have hung on the walls of the rotunda of the State House, but so high up that they have not been generally no-

ticed. Three of these are fifteen by twenty feet, and two of about half that size. The colors now, after more than one hundred and fifty years, are bright and beautiful. The figures, the animals, the trees and foliage, the landscape and water scenes are all of wondrous beauty. The high rarity and worth of the tapestries are better known in Europe than here.

THE NEW ENGLAND HISTORIC, GENEALOGICAL SOCIETY held its quarterly meeting April 1. In the absence of President Wilder, Rev. Edmund F. Slater presided. Colonel Albert H. Hoyt, Chairman of the Committee appointed at the previous meeting, submitted Resolutions on the death of Rear-Admiral George Henry Preble, of the United States Navy, giving an outline of his distinguished career.

Rev. Augustine Caldwell, of Worcester and a native of Ipswich, then read a paper entitled "A Glimpse of William Hubbard and his Parish at Ipswich." Mr. Hubbard was an early historian whose name has for two centuries been familiar as the author of "The Indian Wars" and "History of New England." The paper of Mr. Caldwell was descriptive of the neighborhood in which Mr. Hubbard's boyhood and later years were passed; and developed the long continued kindness and care of his people toward him. Some characteristics of the early Ipswich parish were drawn from the town records. Mr. Hubbard came to New England in 1635, and died in November, 1703, having been in public life more than forty-five years. He was graduated from Harvard College in its very first class. Nine young men

were of this class, and seven went to England and participated in the civil war of that period.

The paper was replete with interest, and exhibited on the part of the writer a minute knowledge of the habits and customs of Ipswich two hundred years ago, and of the religious and personal history of the most noted of the early settlers of that venerable town.

THE GEORGIA HISTORICAL SOCIETY held its forty-sixth annual meeting on the 14th of February. The reports of officers and committees occupied the greater part of the time. An interesting incident of the meeting was the acceptance by the President of the tattered and battle-worn colors of the old First Regiment of Georgia Regulars, as a trust confided to the society by the late Colonel R. Alexander Wayne. The election of officers resulted as follows:—*President*, Hon. Henry R. Jackson; *First Vice-President*, General G. Moxley Sorrel; *Second Vice-President*, General Alexander R. Lawton; *Secretaries: Corresponding*, Captain Robert Falligant; *Recording*, W. Hampton Wade; *Treasurer*, William S. Bogart; *Librarian*, William Harden; *Curators*, Colonel Charles H. Olmstead, A. Schwaab, W. D. Harden, R. J. Larcombe, W. H. Baker, Colonel John Screven, W. N. Holt.

THE VIRGINIA HISTORICAL SOCIETY—A meeting of the executive committee was held May 2, at the rooms of the Society. A number of gifts were reported—books, autographs, memorials, relics, etc., among them, a framed heliotype of the Great Seal of the Lords

Proprietary of the Province of Carolina and fac-similes of their signatures, from the original in the Public Record Office, London, from Hon. William A. Courtney, of Charleston, South Carolina, and a letter of Bishop James Madison to his daughter, from Mrs. Dinwiddie B. Phillips, Madison-Run station, Orange County, Virginia.

The corresponding secretary reported that the current volume of the Society, Volume II., Spotswood Letters, with general index, completing the work, has been printed and is in the hands of the binder, and would speedily be ready for delivery to the members of the Society.

STATE ARCHEOLOGICAL AND HISTORICAL SOCIETY OF OHIO.—This society has recently been formed in Columbus, Ohio, with Hon. Allen G. Thurman, President, and A. A. Graham, Secretary. Its members embrace many representative men. The object of the association is the appropriate celebration of the centennial of the famous ordinance of 1787, the last act of the Continental Congress, which organized the territory of the Northwest, and provided for a settled Government. That ordinance was soon followed by the first permanent English settlement in Ohio, at Marietta, the Plymouth of the Northwest, on April 7, 1788. It is the belief of the Society that the centennials of these two important occurrences in the history of Ohio deserve as enthusiastic a commemoration by the people of Ohio, as the anniversary of July 4, 1776, deserves from the whole American people. This Ohio Society is one which seems destined to become a credit to the State.

BOOK NOTICES

THE HISTORY OF THE AMERICAN EPISCOPAL CHURCH, 1587-1883. BY WILLIAM STEVENS PERRY, D.D., LL.D., Bishop of Iowa. In two volumes. Vol. I. The Planting and Growth of the American Church, 1587-1783. 4to, pp. 665. Vol. II. The Organization and Progress of the American Church, 1783-1883. 4to, pp. 696. James R. Osgood & Co. Boston, 1885.

This is the largest and most elaborate of the excellent church histories recently issued by the American press. It consists of two handsome square quarto volumes of nearly seven hundred pages each, admirably printed in fine clear type, with many valuable autographs and pertinent illustrations. It bears evidence of profound scholarship, untiring industry, and conscientious discretion in the choice and arrangement of material. The scheme of the work originated with Mr. Clarence F. Jewett; and many eminent writers have assisted Bishop Perry in the presentation of this record of church life and growth. The method adopted is similar to that of the Memorial History of Boston. The connection of the Church of England with American discovery and settlement is one of the interesting subjects with which the first volume opens. Critical notes on the sources of information form a feature of special value throughout. The beginnings of the church in New York and the middle colonies, the ninth chapter of the first volume, is illustrated with portraits of Sir Edmund Andros and Lord Bellomont. Andros figured also in the building of King's Chapel, Boston, bearing the larger portion of its cost. In 1686 the first English priest arrived in Boston, and "the next Sunday after he landed, he preached in the town-house, and read Common Prayer in his surplice, which was so great a novelty to the Bostonians, that he had a very large audience." Interesting glimpses of the progress of the church in Boston are given with a free hand. The new chapel was in process of completion in 1689, when the Government was overthrown. It was plain in its exterior, bare within, lacking pews, and devoid of any attempt at adornment, but had a "pulpit cushion, with fringe, tassel, and silk." Bishop Perry traces the beginnings of the Church of England in all the colonies; describes the early conventions, and the consecration of the first American Bishop. The three most instructive chapters in the second volume are "The Revival of Church Life and Feeling in Virginia and throughout the South"—"The Episcopate of John Henry Hobart, and its influence at the North"—and "Bishop Griswold and the New England

Churches." This last-named chapter begins with an account of John Viets of Simsbury, who, finding his son Roger was a boy of singular promise, sent him to Yale College in 1758. He subsequently ripened into an Episcopal clergyman, and was located at Simsbury, where to eke out the scanty stipend received from abroad, he worked on the farm and instructed his neighbors' boys. Among his pupils was his sister's son, Alexander Viets Griswold, the future Bishop, who owed his intellectual training and love of letters to this clerical uncle. Griswold received priest's orders in 1795. In 1810 he was elected Bishop, and his consecration occurred the next year, at the same time as that of Bishop Hobart.

The rapidly developing West receives marked attention from Bishop Perry in these pages. In Detroit the first Episcopal church built its first church edifice in 1827, "forty by sixty feet in extent," and Bishop Hobart journeyed all the way from New York to lay the corner stone. As late as 1836 there was no place of public worship for the church in Missouri; and in 1849 the services of the Episcopal Church were first celebrated in San Francisco. The "Ritualistic Controversy" forms the text of the twenty-second chapter. It is from the pen of Bishop Perry, but by no means an exhaustive treatise. There are nineteen monographs in the work of great value and varied interest. Rev. Morgan Dix, D.D., contributes a condensed historical sketch of "Old Trinity, New York, and its Chapels;" Rev. D. V. Wittmeyer writes of the "Huguenots of America and their connection with the Church;" Rev. Samuel Hart, M.A., indulges the reader with a study of the Seaburys "missionary, bishop, priest, professor—four generations of faithful workers in a hundred and fifty years of the Church's history;" Mr. Thomas C. Amory contributes a short but very able summary of the "Church Charities of the Eighteenth Century;" and Moses Coit Tyler pleasantly describes "Dean Berkeley's Sojourn in America, 1729-1731." There is no more engaging chapter, however, in these noble volumes than Robert C. Winthrop's monograph on "The Relations of the Founders of the Massachusetts Colony to the Church of England." As will be observed the topics are widely diversified. The index contains some confusing errors, as, for instance, Rev. George Ross is described as of Pennsylvania, whereas he was known for nearly half a century as Rector of Immanuel's Church, Delaware; and Aeneas Ross is recorded as a signer of the Declaration of Independence, which information is new to us. His brother, George Ross, signed that notable instrument. The illustrations of the work are numerous and for the most part well executed.

HISTORICAL COLLECTIONS RELATING TO GWYNEDD. A Township of Montgomery County, Pennsylvania; settled 1693, by Welsh immigrants. By HOWARD M. JENKINS. 8vo, pp. 394. Philadelphia, Pa.

Gwynedd is a township about eighteen miles north-west from Independence Hall, in Philadelphia. It contains nearly seventeen thousand square miles, and is occupied by some three thousand people. Its history has, in the volume before us, been carefully traced through its several periods of settlement, growth, revolution, development, etc., by Mr. Howard M. Jenkins, with results eminently satisfactory. A considerable portion of the book is devoted to genealogy, concisely arranged, with many biographical sketches of prominent persons. Several of the family histories recorded here are of more than local interest, as for instance those of Evans, Roberts and Foulke, whose descendants are widely scattered through the country. Some thirty-five pages are devoted to "Sally Wister's Journal," a quaint and interesting record of observations and experiences during the period that Philadelphia was occupied by the British, 1777-1778. The Wisters were quartered in the old house at Penlyn—the Foulke mansion. Miss Wister's descriptions of persons and events and the view she gives of social conditions in the midst of some of the most important military operations of the war are unique and interesting. The work taken as a whole is one of the best local histories that has recently appeared.

CONGRESSIONAL GOVERNMENT. A STUDY IN AMERICAN POLITICS. By WOODROW WILSON, Fellow in History, Johns Hopkins University. 12mo, pp. 333. Boston: Houghton, Mifflin & Company.

This is an attempt to explain and describe the method, or rather the mechanism, by which the American Congress proceeds in governing the United States at the present time. Every American of ordinary intelligence knows that Congress and State Legislatures now act only by committees, in which practically all measures originate, and where they are discussed in private; and if approved, are reported "favorably" to the House or Senate. If not approved, they are either reported "adversely," or what is generally the case, "smothered in the committee," that is quietly killed by being pigeon-holed and left there undisturbed till the end of the session. In other words our present Congressional Government is simply committee government, not legislative government, and the author of this work fairly and sensibly calls attention to its evils and their remedies. He compares and contrasts the American system with that of the British Parliamentary, and

the French, and other continental systems, which are more or less based upon it. Though not inclined to agree with him in many of his views, he deserves the thanks of all thinking men for calling attention to a system which must be radically changed, and that shortly, or we will find ourselves hopelessly enslaved by a despotism more corrupt, grievous and galling than any king, emperor or sultan ever dreamed of.

LITERARY LANDMARKS OF LONDON.

By LAURENCE HUTTON. 12mo, pp. 361. 1885. Boston: James R. Osgood & Co.

London has no associations so interesting as those connected with its literary men. Hence Mr. Hutton's book, representing as it does the most earnest and painstaking research, is particularly acceptable to the reading public. It is not a text book, nor is it a biographical dictionary; it presents in a pleasing manner varied sketches of the daily life and salient characteristics of London authors; it includes much material never before published, and the statements and mistakes of preceding works are here verified and corrected. Among the principal celebrities whose homes and haunts are traced in these pages are Addison, Bacon, Boswell, Bulwer Lytton, Charlotte Brontë, John Bunyan, Edmund Burke, Lord Byron, Thomas Carlyle, Samuel Taylor Coleridge, Charles Dickens, Benjamin Disraeli, Dryden, Cowper, George Eliot, Henry Fielding, Dr. Franklin, Edward Gibbon, Oliver Goldsmith, Thomas Gray, Leigh Hunt, Samuel Johnson, Charles Lamb, Ben Jonson, John Milton, Thomas Moore, Samuel Pepys, Alexander Pope, Sir Walter Raleigh, Shakspeare, Steele, Swift, Thackeray, John Keats, and John Horne Tooke. Mr. Hutton says: "Pope lived in the famous villa at Twickenham for a quarter of a century, and died there in 1744. This villa was much smaller when Pope took it than when he left it. In 1717 it comprised only a central hall with two small parlors on each side, and corresponding rooms above. He left it a brick center of four floors with wings of three floors, each story with a single light towards the Thames." For the convenience of those interested in any particular writer the arrangement of the work is in the alphabetical sequence of authors' names, an excellent substitute for the ordinary chronological plan. It is a volume which libraries must possess, and an acquisition to every household.

TALES FROM MANY SOURCES. Volumes

I. and II. 16mo. Pp. 259 and 271. 1885. New York: Dodd, Meade & Co.

The stories collected in these attractive books are chiefly from English authors. The first volume contains "The Three Strangers," by

Thomas Hardy; "The Black Poodle," by F. Anstey; "Lord Richard and I," by Julian Sturgis; "The Pavilion on the Links," by R. L. Stevenson; "The Hermit of Saint Eugene," by W. E. Norris; and "Mattie," from *Blackwood's Magazine*. In the second volume are seven short stories, the most notable of which is the "Knightsbridge Mystery," by Charles Reade. "Archdeacon Holden's Tribulations," a selection from the *Cornhill Magazine*, is eminently readable; and the same may be said of "Beauchamp & Co.," by Mrs. Herbert Martin, although the title is mournfully misleading. "Mouffou," by Ouida, is hardly worthy a place in such a publication. Indeed American authors are as a rule greatly to be preferred where short stories are concerned. The talent of condensation has been encouraged and cultivated to a much higher degree in America than in England. This Series of Tales will embrace twelve volumes, of from two hundred and fifty to three hundred pages each, and are issued in convenient style, well-printed, and in a tasteful dress.

THE ADVENTURES OF TIMIAS TERRY-STONE. A Novel. By OLIVER BELL BUNCE. 16mo, pp. 305. New York, 1885. D. Appleton & Co.

Mr. Bunce has a natural gift for word-painting, and his characters are genuine men and women with all manner of human imperfections. The story of Timias Terrystone is bright and readable, with all the freshness and effect of a chapter from real life. In many respects it is a remarkable production. Timias, the hero, is an orphan who was adopted in his infancy by an old comedy actress. He knows nothing about his parents except that his father died before his mother, and that his mother was an actress. His career is one of curious vicissitudes. Like most foolish young men, he falls in love, or imagines he does, with a woman older than himself, and an actress, a proceeding that is greatly disapproved by the old lady with whom he lives, and by a painter and his wife who are his fast friends. He finally forgets her, studies art, and shares the studio of the painter; then makes the acquaintance of two sisters, one an invalid protected by the other, where he meets a young actor who is a poet, a young journalist who is a critic, and a bluff good-natured artist who paints bad portraits, and goes on the stage when he wants more money than they will bring. He travels with Timias, and their adventures are told by the author in the most entertaining manner, spiced with philosophy and pleasant comments on men and things and art. The original and the picturesque characterize every page. It is a delightful book for summer reading.

THE RUSSIANS AT THE GATES OF HERAT. By CHARLES MARVIN. With Maps and Portraits. 12mo, pp. 185. **RUSSIA UNDER THE TZARS.** By STEPNIK. Rendered into English by William Westall. 12mo, pp. 381. 1885. New York: Charles Scribner's Sons.

Mr. Marvin is undoubtedly the best living authority on the question of the present quarrel between England and Russia, hence his "Russians at the Gates of Herat," recently issued by the enterprising house of Charles Scribner's Sons, is timely, and meets a great public want. It is admirably written in clear forcible language, pertinently illustrated with maps, and abounds with the precise information required as a key to the understanding of our daily dispatches. "In my writings on Russia I try to be impartial," writes the author in his preface, and his success in this direction is obvious. The work of Stepniak, rendered into English by William Westall, comes out also just at the right moment in a new American edition, with an American preface by the author, who writes, "I readily comply with the kind desire of Messrs. Charles Scribner's Sons, of New York, in declaring that I authorize this American reprint of my 'Russia under the Tsars.' I was extremely pleased and proud to learn that on the other side of the ocean, the people of the great nation to whom Europe owes so much for its present liberty, has shown also an interest in my modest efforts." Stepniak is a Russian patriot, who has been driven from his country because of his advocacy of liberal measures. He is a man of letters, full of enthusiasm, sympathy, and pity for his benighted countrymen, whom he believes fitted for advanced civilization. He says, "Russia has never known anything which remotely resembles the liberty of the Press or tolerance for political and religious ideas. Peter the Great, whose reign was the apogee of imperial liberalism, tortured and put to death the sectarian writers who wrote pamphlets against his reforms. But the Tzar was in favor of European culture, and everything savoring thereof passed the frontier without inspection. It is told that when the translator of Puffendorf's 'Universal History' proposed to omit some passages not too complimentary to Muscovy, Peter gave him a little paternal correction with his famous cane for showing so little respect to the great historian, and ordered the scribe to print the passage just as it was. 'The destruction of autocracy,' he says, 'has become a political as well as a social and intellectual necessity. It is required for the safety of the State as well as for the welfare of the nation. As things are now, if the Tzar resolved to change his politics, he would only have a sign to make; half of his court would become, in

no time, of the color required, from deep red to the most tender blue, provided by this they could secure for themselves the best places. All who are for progress, for peace, and humanity, may unite in a moral crusade against Russian despotism."

VIRGINIA VETUSTA, during the Reign of James I. Containing Letters and Documents never before printed. A Supplement to The History of the Virginia Company. By EDWARD O'NEILL. Square 12mo, pp. 216. Albany, 1885. Joel Munsell's Sons.

The author of this work, Rev. Edward O'Neill, of St. Paul, is one of the most untiring and scholarly of antiquarians. He has been for thirty or more years engaged in making important historical researches, hunting with unruffled patience in all manner of dark and neglected corners. During his residence in Dublin, as well as while private secretary to President Johnson, he took occasion to study the colonial history of Virginia, as a result of which we have his "History of the Virginia Company." He has produced many other valuable books and pamphlets, not least among them being this volume of hitherto unprinted letters and documents relating to the history of Virginia during the reign of James I., entitled "Virginia Vetusta."

The documents relate chiefly to the events in the colony during the first twenty years of the seventeenth century. Evidence is furnished to prove that "the life of Captain John Smith, as told by himself, is stranger than fiction." Mr. O'Neill says, "It is quite remarkable that for two centuries historical writers chiefly depended upon a book compiled by an adventurer for a knowledge of the early English colonization in North America." Aside from the main argument carried through the work, there is much information to be gleaned from it on many subjects and the names of a large number of individuals of the early period, with every scrap of information available concerning them, is carefully recorded and indexed at the end of the volume. The documents reproduced are given with the quaint original spelling and typography, and the book is beautifully printed by the Munsells of Albany, uniformly with their other historical works.

FINAL NOTES ON WITCHCRAFT IN MASSACHUSETTS. A SUMMARY VINDICATION of the Laws and Liberties concerning attainders with corruption of blood, escheats, forfeitures for crime, and pardon of offenders. In reply to the REASONS of Hon. Abner C. Goodell, Jr. By GEORGE H. MOORE, LL.D. 8vo. pamphlet, pp. 120. 1885. New York. Printed for the Author.

The purpose of this elaborate and scholarly production of Dr. Moore is clearly defined in its title. The main question under discussion heretofore has been whether an act purporting to have been passed in 1711, a copy of which (printed in 1713) is in Mr. Goodell's possession, reversing the attainders of several of those condemned for witchcraft in 1692, actually became a law. But in his "Reasons," which was an able reply to Dr. Moore's "Supplementary Notes," of 1884, Mr. Goodell risked certain statements, both of law and fact, which were instantly challenged, and seem now to have been conclusively answered by his opponent. We are indebted to this high-toned controversy for much fresh information concerning the early statutes of New England. Dr. Moore, in speaking of the Act of 1711, says: "I do not look upon the 'little candle' which my good friend holds up so stoutly and makes to shine like 'a good deal in the naughty world' of witchcraft in Massachusetts, as furnishing anything like 'a great light to rule the day or the night, of her history.' To compare it, even if it became a law, with the Statute of 1641, which I have attempted to vindicate in these notes, would be like comparing the rushlight and pine knot or tallow-dip of that elder time with the electric flash that has been subdued to the steady and continuous service of modern illumination." Of this beneficent Statute of 1641, the learned author further comments upon its neglect by professed historians, "who have failed to discern in its masterly provisions, which have leavened the law of a whole continent, the results well and surely wrought out of that extraordinary feature in the great original grants under which English North America was first permanently colonized and settled—the *habendum et tenendum*, the having and the holding, under which the rights of constitutional freedom have been gradually asserted, securely established, and firmly maintained."

THE ATTEMPTS MADE TO SEPARATE THE WEST FROM THE UNION. A paper read before the Missouri Historical Society, Feb. 4, 1885. By Rt. Rev. C. F. Robertson, D.D., LL.D. 12mo. pamphlet, pp. 60. 1885. St. Louis.

The war of the Revolution was hardly ended when an effort was made to separate the western portion of the Union from the States on the Atlantic seaboard. The movement in the first instance resulted from the magnitude of the territory beyond the Alleghany Mountains—which was chosen as the dividing line—and the exceeding great difficulty of communicating with the central government. At that period the facilities for traveling were confined to horseback riding or pedestrianism, newspapers were rare, and the mails were uncertain and very expensive. Bishop

Robertson traces with a master hand the various antagonisms which for twenty years or more conspired against the bonds of union; and he gives a brief but comprehensive and valuable picture of the political situation of the Mississippi valley during the time. He describes General James Wilkinson, and his scheme of colonization, the purchase of Louisiana, and the treasonable expedition planned by Aaron Burr. The whole paper from the first page to the last is an instructive study. All attempts to separate the western country from the American Union ceased with the Burr enterprise. "They had had their strength in the distance and isolation, and consequently the ignorance and prejudice of the sections." Bishop Robertson says in conclusion: "Our multiplying railroad cars and telegraph wires are now more than material lines of communication; created by the physical and commercial needs of a great people, they are the sensitive nerve connections of a complex social organism. Among them pulse the currents of intelligence and an identical interest, and they convey and perpetuate the throbbings of simultaneous impulses and common national aspirations. In these are furnished, under God, the sure hope and presage of the perpetuity of our American Union."

THE POLICY OF THE EARLY COLONISTS OF MASSACHUSETTS towards Quakers and others whom they regarded as intruders. Old South prize essays. I. By Henry L. Southwick. 12mo. pamphlet; pp. 21. 1885. Old South Meeting House, Boston.

The theology of the Quakers was what the Puritan clergy most violently opposed. We are reminded by Mr. Southwick that "in the matter of offensive epithets the two parties were pretty evenly matched." The age was not celebrated for urbanity or decorum in the language of controversy. The settlement of New England was largely the result of bitter religious antagonism between Protestant Dissenters and the Church of England. "The Colonists wished to have it distinctly understood that 'New England was a religious plantation, not a plantation for trade.' They never intended to permit freedom of conscience in their midst. They were not sufficiently advanced for it. To them it was the synonym for the deadliest of heresies. They had seen its tendency in England and they dreaded its results." At the time when Quakerism took its rise, public opinion was in a state of perpetual agitation. The Quakers had created a commotion in England by attempting to reform manners, rather than belief, and to establish freedom of opinion and expression. They were treated with atrocious cruelty there, and hearing that they were not wanted in New England they came briskly thither. The Puritans resolved to keep them out at all hazards. Both Puritans and

Quakers were consistent from their respective standpoints. The able author of this essay does not apologize for Puritan barbarities or Quaker aggressiveness. He rather seeks to present the situation in a truthful light. His language is clear, concise and forcible, and his essay may be studied with profit by historical students.

NATHANIEL PARKER WILLIS. By Henry A. Beers, (American Men of Letters). 16mo. pp. 365. Boston, 1885. Houghton, Mifflin and Company.

The task of painting a faithful and comprehensive pen-picture of N. P. Willis is one of more than ordinary delicacy and difficulty. Thus the achievement of Mr. Beers, who has treated the subject with discriminating tact and sound judgment, is the more to be prized and commended. Very few of the present generation, either readers or writers, are able to define with precision the place Willis once held among men of letters, and the number is even smaller who can describe the style and character of his varied literary productions. The book of Mr. Beers fills a positive want. It was many years ago, at a time in the development of our literature, very different from the present, that the vivacity, quaint humor, and surprises of this dashing and popular writer delighted the community. His was the class of work, however, not destined to long survive its author—which answers the question, "why do we know so little of it?" His society verses, for instance, were nearly always too hurriedly done and fell short of that perfect workmanship and fineness of taste, which floats many a trifle of other literary characters. One little serious poem, "Unseen Spirits," has in it a touch of genius, a careless felicity, that will doubtless preserve it to posterity. It was a favorite with Edgar Poe, who used to recite it at reading clubs. The social triumphs of Willis came almost simultaneously with his first literary glory. Mr. Beers describes him at that period as "a tall handsome strapping, with an easy assurance of manner and a good deal of the dandy in his dress. He carried himself with airy, jaunty grace, and there was something particularly *à la* about the pose and movement of his head—a something which no portrait could reproduce. With naturally elegant tastes, an expansive temper, and an eagerness to see the more brilliant side of life, Willis could at all times make himself agreeable to those whom he cared to please. But he was quick to feel the chill of a hostile presence, and toward any one in special who seemed to disapprove of him he would be curt and defiant." Mr. Beers traces the career of Willis from the cradle to the grave. The book is a critical study of a man of many talents who had no positive standards either of life or literature, and is presented to the reader in excellent taste.

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